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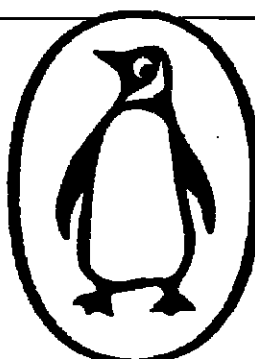
PAGE 9

**BANDS  
WITHOUT  
THEIR  
SVENGALIS**

PAGE 21

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TOMES  
PAGE 20**JUDGMENT DAY  
FOR FORMULA ONE**

PAGE 35

## Labour ordered to return grand prix chief's £1.5m

BY ANDREW PIERCE  
AND NICHOLAS WOOD

THE Labour Party was ordered last night by the new Public Standards watchdog to return a £1.5 million donation from the head of Formula One racing.

The decision to give back the money from Bernie Ecclestone, President of the Formula One Association, followed 72 hours of pressure on the party to confirm its financial links with the industry after grand prix were excluded last week from the Government's ban on tobacco sponsorship.

Mr Ecclestone gave between £8 million and £10 million to the Tories between 1992-97 but switched sides before the general election. In January he paid £1.5 million into

Labour Party coffers — one of the biggest individual donations the party has received, and about 10 per cent of its 1996 income.

The only other personal gifts in the same league came from Paul Hamlyn, who gave £600,000 to Labour, and Matthew Harding, the Chelsea football club vice-chairman, who donated £1 million shortly before his death last year in a helicopter crash.

The Prime Minister personally ordered that Formula One should be excluded from the tobacco ban, in defiance of the Health Department, after a meeting at Downing Street on October 16 with Mr Ecclestone, Max Mosley, the President of the Fédération Internationale de l'Automobile, the sport's governing body, and David Ward, who also

works for the organisation. When Tony Blair met the delegation he was aware that Mr Ecclestone had made a large donation.

The Labour Party, which insisted last night that the exclusion had not been influenced by Mr Ecclestone's generosity, said that the decision to seek advice from Sir Patrick Neill, QC, who took over formally yesterday from Lord Nolan as Public Standards watchdog, was taken after the policy reverse.

Labour's leaders are understood to be shaken by Sir Patrick's decision but, having asked for his guidance, knew they had no choice but to accept it.

However, *The Times* has learnt that Sir Patrick never received the faxed letter from Tom Sawyer, General Secretary of the Labour

Party, until 7pm last Friday — about four hours after journalists, including representatives from *The Times*, challenged the party to confirm that Mr Ecclestone was a major donor. No contact had been made with Sir Patrick prior to that faxed letter.

Labour officials maintained throughout the weekend and most of yesterday that they could not confirm or deny whether Mr Ecclestone, who earns a reported £29 million a year, was a benefactor.

They stuck to party rules, introduced last year, which insist that donors' names can be listed only in the annual financial report, next out in September 1998.

Mr Ecclestone's donation would have been confirmed but, in keeping with Labour's rules, the size would be secret.

The climbdown was announced yesterday at 5pm, shortly after Sir Patrick conveyed his views to Labour's leadership. The party maintained its decision not to discuss how much Mr Ecclestone had given. But *The Times* understands from senior political sources that it was £1.5 million.

Only minutes earlier a solicitor acting for Mr Ecclestone denied categorically that his client had given money. John Reynolds, of the city firm Herbert Smith, said: "A statement at the weekend denying my client gave money to the Labour Party still stands."

Mr Ecclestone changed his tune later, confirming he was a financial supporter. He then claimed he "never sought any favour from New Labour or any member of Govern-

ment". He added in a statement: "There had been speculation over the past few days that I have made a donation to the Labour Party. I met Mr Blair in July 1996 and was very impressed with him and his plans for our country."

"In January 1997, I was asked by a colleague to make a contribution to New Labour, which I did. I have never sought any favour from New Labour or any member of the Government, nor has any been given."

In a statement last night Sir Patrick, who has been asked by the Prime Minister to investigate party political funding, welcomed Labour's "speedy response".

He said: "I am delighted that the Labour Party has acted on my Continued on page 2, col 5



"What is it they say?  
There's no smoke  
without fire"

## Cheering as judge frees Louise Woodward

BY TUNKU VARADARAJAN IN CAMBRIDGE, MASSACHUSETTS, AND JAMES BONE

LOUISE WOODWARD was last night freed from jail after her conviction for murdering eight-month-old Matthew Eappen was reduced to involuntary manslaughter.

Supporters both inside and outside the court in Cambridge, Massachusetts, cheered as Judge Hiller B. Zobel cut a mandatory life sentence to one of 279 days — the time she has already spent in prison. He said: "I do not denigrate Matthew Eappen's death or his family's grief. It is in my judgment time to bring the judicial part of this extraordinary matter to a compassionate conclusion."

The prosecution immediately announced that it would be appealing and called for Woodward to remain in jail in the meantime, but the judge rejected the application. But he also told Woodward that her passport would not be returned to her yet.

The defence intends to go ahead with an appeal in an attempt to win total vindication for the 19-year-old British au pair. Asked before the new sentence was imposed whether Woodward would appeal against the reduction of the verdict to manslaughter, her lawyer Barry Schick said without a moment's hesitation: "Yes, certainly."

Later, at the sentencing hearing, the prosecutor Ge-

Judge Zobel: murder  
verdict was wrong

rard Leone argued for a minimum 15-year sentence because, he said, Woodward had refused to accept responsibility for Matthew's death, had shown no remorse, and had left Matthew's parents with no answers about what had caused their child's death. Sam and Deborah Eappen, who had made emotional "victim impact statements" before the mandatory life sentence was imposed ten days ago, chose not to make further statements yesterday and were not in court.

Andrew Goode, for the defence, had asked for a sentence of time served, and Woodward told the judge: "I would just like to maintain what I said at the last sentencing hearing. I am innocent."

Matthew died five days after being taken to hospital with a fractured skull on February 4. The prosecution said the injury indicated that the baby's head had been slammed against a hard surface and blamed Woodward, the only adult to be with Matthew that day.

But the defence said that clear fluid found in the baby's skull proved that the injury had been sustained two or three weeks earlier. Woodward insisted that she did not hurt the child, saying she only shook him a bit when she found him unresponsive in his cot after a bath. She denied

telling police that she may have been "a little rough" with him.

The jury nevertheless found Woodward guilty of second-degree murder and when the verdict was read out, she burst into hysterical sobs crying: "I didn't do anything. I never hurt Matty."

Yesterday, in his 12-page ruling, Judge Zobel said that after "extensive, cool, calm reflection", he was "morally certain" that the murder conviction was a miscarriage of justice.

"I believe that the circumstances in which the defendant acted were characterised by confusion, inexperience, frustration, immaturity and some anger, but not malice," he wrote.

"Frustrated by her inability to quiet the crying child, she was a 'little rough' with him" under circumstances where another, perhaps wiser, person would have sought to restrain the physical impulse. The roughness was sufficient to start (or restart) a bleeding that escalated fatally." But he added: "I view the evidence as disclosing confusion, fright and bad judgment, rather than rage or malice."

He also wrote that had a manslaughter verdict been available to the jury — which was restricted to "murder or nothing" — it might have selected it. That, he said, would accord with "one rational view of the evidence": that Matthew did have a pre-existing blood clot that the defendant did handle him roughly; that the handling — if not the roughness — was intentional and with an excessive and therefore unjustified force; and that the handling caused the rebleeding which caused Matthew's death.

The suggestion that the jury might have chosen a manslaughter verdict was immediately endorsed by one of the jurors, Stephen Colwell, who said: "Had that option been before us, we might have come



Louise Woodward: "I would just like to maintain what I last said. I am innocent"

to the same conclusion. I am greatly relieved; I was distraught over the fact that a new trial may have been ordered or the verdict overturned. Judge Zobel's decision is a good one for the jury."

There was delight in Woodward's home village of

Elton, Cheshire, although supporters said that they would continue their campaign to have her acquitted of all charges. But Matthew's grandmother, Achamma Eappen, emphasised that Woodward had still been found guilty of killing the

baby. "All that we wanted was for us to know what really happened and this still shows that she's guilty," she said.

The judgment, page 12  
Libby Purves, page 22  
Leading article, page 23  
Victoria McKee, page 43

## Business urged to prepare for single currency

BY PHILIP WEBSTER, JILL SHERMAN AND PHILIP BASSETT

TONY BLAIR promised last night to be a leader in Europe as he prepared to deliver Labour's most enthusiastic endorsement of a European single currency.

The Prime Minister will today echo yesterday's message to the Confederation of British Industry from Gordon Brown, that companies should get down immediately to preparing for economic and monetary union (EMU).

Mr Blair will say that the Government wants the single currency to be a success and Britain to be part of it in due course if the economic benefits are clear. In a live video link with the CBI meeting in Birmingham, he will add that business and the City should start "active preparations" now. Mr Blair and Mr Brown were hardening their pro-European positions as William Hague, the Opposition leader, told the CBI he had "deep concerns" about the project and likened supporters of it to "lemmings".

The Chancellor announced moves to help British companies use the euro years before any government decision on membership. Under legal changes heralded by Mr Brown yesterday, companies would be able to trade and deal in the euro from the launch date in 1999 although he has ruled out British membership before the next election.

Later, in his first speech to the Lord Mayor's Banquet in London, Mr Blair said it was time for Britain to end the isolation of the past 20 years.

He said: "Britain is part of Europe. It must play its full part in leading it. Not because there is no alternative. There is: we could go. But because it is in the British interest to stay. As we are staying, let us do so with effect."

Mr Hague said business could find itself in a burning building "with no exits" because of monetary union.

CBI reports, pages 10, 11  
Anatole Kaletsky, page 22  
Leading article, page 22

TV & RADIO	54.55
WEATHER	28
CROSSWORDS	28.56
LETTERS	23
OBITUARIES	25
LIBBY PURVES	22
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CHESS & BRIDGE	52
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### Britain observes Armistice silence

Much of Britain will come to a halt at 11am today to observe the Armistice Day two minutes' silence. Airports, law courts, radio and television stations, councils, schools and businesses are among the many organisations marking the eleventh hour of the eleventh day of the eleventh month in tribute to British servicemen and women who died for their country.

### BT to make \$3bn on MCI bid

BRITISH Telecom accepted \$7 billion (£4.13 billion) for its shareholding in MCI, the American telecommunications group that bowed to a record-breaking \$37 billion bid from WorldCom, the American phone company. Including an instant \$465 million break-up fee payable to BT, the British company will make a profit of about \$3 billion on its MCI

adventure. The MCI deal enters the record books as the world's biggest bid. Speaking on future developments, Sir Iain Vallance, the BT chairman, said that already BT had been approached by other US companies. He added: "We will now be looking at investments in the US and other parts of the world."

He did not rule out other

options such as share buy-backs if that was in the best interests of shareholders at the time the decision was taken. Shares in BT rose 11p to 465p yesterday, against a low of about 380p earlier in the year when the City raised doubts about the terms of the British company's original bid for MCI.

Business news, page 29

### US resumes Iraq spy flights

The United States resumed U2 reconnaissance flights over Iraq as Washington struggled to muster support at the UN for a tough response to Baghdad's defiance. The flights went off safely despite bellicose warnings from Iraq and the Pentagon saw the successful mission as a sign that President Saddam Hussein may not want to escalate the dispute... Page 17

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# Dome proves to be a questionable Experience

WAS that a smell of sulphur in the air? It was like the moment when the Bad Fairy stalks on to the pantomime stage. Fear, loathing and fascination hung in the atmosphere in equal proportions. One MP even hissed.

Peter Mandelson had finally been brought to the dispatch box. There he was—living, breathing—in immaculate grey suit, white shirt and turquoise silk tie. His hair, held in place by perhaps by the lightest application of spray, was perfect.

And he would speak! What was his voice like? Darth Vader? A whole new generation of MPs and cub reporters have never heard Mandelson speak in the Chamber. He would answer for five min-

utes. So after six months on the salary of a Minister of State we can fix his estimated value as a Commons speaker at about £247 per second. What could Mandelson be about to say to justify this rate of pay?

As the elusive Minister sat in silence, tense but poised, awaiting his moment, the preceding Questions to the Culture Secretary Chris Smith seemed an eternity.

Besides, there were no interesting questions for Mr Smith. A ludicrous feature of the Commons Questions procedure is that these are notified in writing a fortnight before the afternoon on which they will be asked. Two weeks ago nobody was talking about donations to the Labour Party from the



MATTHEW PARRIS  
POLITICAL SKETCH

moguls of motor racing: no one had suggested squeezing a quart of British opera into the pint pot of Covent Garden. There were therefore no questions on the only topical subjects in Smith's portfolio.

Light relief was provided by Sports Minister Tony Banks, who is still finding it hard to shake off the habits of an Opposition backbencher, and yesterday (if I heard aright) took to heckling his own fellow-ministers. Junior minister Mark Fisher was being harried by

MPs concerned that there were too many children's cartoons on television. Defending the BBC, the minister protested that children would search in vain for a silly cartoon on the BBC.

"They can come 'ere then," crackled a voice which seemed to come from the minister sitting next to Mr Fisher. Banks adopted his innocent, "not me, guv" expression, and I may stand corrected.

At 3.11pm, a whole minute late, Mandelson rose, pale as Banquo's ghost, in complete silence. MPs

had 300 seconds to interrogate him. They never got past the first question on the Order Paper. This was from Dr Phyllis Starkey (Lab, Milton Keynes SW) and lacked the monumental quality the moment seemed to demand. She asked about "provision of an adequate transport infrastructure" for the Dome.

Mr Mandelson sounded nervous. He would not say "Dome". He kept talking about the "Millennium Experience." He spent his entire five minutes babbling about it. Unless Tony Blair rescues him at a Cabinet reshuffle the poor man's whole career is now trapped for the rest of the century by this infernal Dome. There would be masses of "exciting and enjoyable things to

do" at the Experience, he prattled. There would be "a new Millennium pier" from which to take a boat there.

Or you could "park 'n sail", he trilled.

"Park 'n sail" was the message of the day, repeated twice. Like "wash 'n hold", "spray 'n stay", "smash 'n grab" or indeed (as Mandelson doubtless hopes at the next reshuffle) "cut 'n run", the phrase is memorable and may come to be permanently associated with his name. Peter "park 'n sail" Mandelson. Too bad that, as he spoke, a judge in Boston was stealing the limelight. It is just possible that Park 'n Sail will not grace the front page headline in this newspaper.

## NEWS IN BRIEF

### Bulger killers get new review

THE Home Secretary last night held out the prospect of an early release from custody for the boys convicted of murdering two-year-old James Bulger. Jack Straw outlined new guidelines for reviewing jail terms to be served by children detained at Her Majesty's Pleasure for murder.

He is to set a new minimum tariff to be served by Robert Thompson and Jon Venables. Halfway through the tariff their lawyers will be able to argue they should be considered for early release.

### No handcuffs

A magistrate rejected an application to have a former M16 officer handcuffed during his second court appearance yesterday. Richard Tomlinson, 34, of Milton Keynes, who is charged under the Official Secrets Act with disclosing information without lawful authority, was remanded until Monday by Bow Street court.

### Flag apology

George Robertson, the Defence Secretary, apologised yesterday after a Ministry of Defence worker had raised a torn Union Flag upside down over the ministry for the Remembrance Service. He said: "I very much share the annoyance felt by veterans who deserve better than this."

### Castration plan

Convicted paedophiles could be "chemically castrated" within the Prison Service's programme to curb sex offenders — if they consent. Richard Tilt, Director General, said there was evidence that combining drugs with psychologically based treatment could affect the attitudes of paedophiles.

### RAF men fined

Flight-Lieutenant Shaun Wilkey, 28, and Flight-Lieutenant Tomas Barrett, 30, from 54 Squadron at RAF Collystown, were fined £2,500 each and severely reprimanded at a court-martial after admitting faking a one-night hotel bill for expenses while on active service during the Bosnia conflict.

### Train spies

The London-Kent train company Connex South Eastern is paying selected season-ticket holders £100 a month to report if they consider staff are failing in their duties. The policy was discovered when a guard asked to see a man's ticket, and found himself being questioned about procedures.

## Blair needs hands clean of stains like tobacco

A GOVERNMENT that was elected to clean up politics must be seen to have clean hands. But this has been undermined by its mishandling of the decision to exempt Formula One from the ban on tobacco sponsorship. After several days of evasions and denials, this culminated in last night's decision to follow the advice (in effect, an order) by Sir Patrick Neill, Lord Nolan's successor as chairman of the Committee on Standards in Public Life, to return a donation of undisclosed size above £5,000 by Bernie Ecclestone of Formula One.

The Government has a case, albeit not as strong as it claims. The real issue is whether an industry whose leaders have been Labour donors has enjoyed privileged access to 10 Downing Street.

It is easy to get over-excited over scandals and U-turns, but there has been a sense of over-cosy relationships between wealthy businessmen and Labour leaders, and of blurred ethical lines.

Sir Patrick may be right that criticism of the donation is "wrong and unfair". But, as he recognised, what matters as much is the impression of propriety. Hence, "in order to avoid the appearance of undue influence over policy he believed the money should be returned".

Labour can argue that it has acted more quickly than the

### RIDDELL ON POLITICS

Tories did in similar circumstances, not least in returning the money. But that is not the end of the matter. Above all, there is a case for openness, otherwise groundless suspicions will be raised.

For instance, Tessa Jowell, the Public Health Minister, and David Mills, her husband, who has had close links with Formula One, both anticipated potential problems and took all the correct actions on official advice to avoid a conflict of interest. In retrospect, it would probably have been better if another Health Minister had handled this issue, while the rules on

family interests need to be clarified.

More serious is the question of donations. The Government is introducing legislation requiring the identity of donors above £5,000 to be disclosed, though not, as in the case of Mr Ecclestone, the amounts. But there is a big difference between a few thousand pounds and hundreds of thousands. So the amounts should be disclosed, perhaps in broad bands as happens with MPs' earnings from consultancy. Sir Patrick's advice also implies that ministers need to be more careful in dealings with businessmen

who have been big donors. Existing mechanisms for examining such problems need to be improved, as Sir Patrick said in *The Times* yesterday.

At present, the Cabinet Secretary is usually called in but, as Sir Robin Butler's embarrassing experience over the Jonathan Aitken and Al Fayed affairs showed, this is unsatisfactory since he is in no position to be a detective or to challenge the word of Cabinet ministers. The Commons Standards and Privileges Committee can look at the behaviour of MPs only in their parliamentary capacity and not at what they do as ministers.

I am also doubtful about the new development of using the chairman of the Committee on Standards in Public Life as an instant court of appeal — in this case over a weekend. The role of the Nolan, and now the Neill, committee is to look at how systems and rules work, not at individual cases. Such inquiries should be carried out by an independent figure like the Parliamentary Commissioner for Standards or the Ombudsman.

The Formula One row may only be a temporary embarrassment but Tony Blair and his advisers should learn the lessons — if they want to live up to their pre-election claims of fighting "gleaze".

PETER RIDDELL



David Mills and his wife, Tessa Jowell, Public Health Minister: they took all the official advice



Bernie Ecclestone, left, joined Max Mosley to win control of Formula One

## Tycoon's drive built up winning formula

By ALASDAIR MURRAY

BERNIE ECCLESTONE, the man who controls Formula One motor racing, almost certainly earns the highest salary in the world. Mr Ecclestone, the son of a Suffolk trawlerman, was paid £54 million last year — double the £27 million he received in each of the previous three years.

But even these massive sums pale into insignificance when compared with the £500 million valuation placed on the Ecclestone family stake in Formula One Holdings, the sport's controlling company, which is due to be floated on the stock market in the next few months. For tax reasons, this stake is largely controlled by Mr Ecclestone's wife, Slavica.

Mr Ecclestone's remarkable rise to become one of the wealthiest men in the country is still shrouded in mystery. The complex web of contracts

and deals which govern the sport are still surrounded by secrecy. But as details have emerged ahead of the float, it has become clear that Mr Ecclestone, 66, controls not just the television rights to the sport, but the corporate and merchandising rights and the circuit fees.

After leaving Woolwich Polytechnic with a degree in chemical engineering, he established a successful car and motorcycle dealership in Bexley, south London, before going on to create a property business.

But it was his skill in spotting the full financial potential of motor racing that enabled him to build his fortune. He purchased the Brabham Formula One team in the Seventies, but later sold it for £2 million to concentrate on trying to place Formula One on a more professional footing. He forged an alliance

with Max Mosley, the son of Sir Oswald Mosley, to win control first of the Formula One Constructors' Association and then FIA, the Federation Internationale de l'Automobile, the governing body of Formula One. Mr Ecclestone persuaded the FIA to hand over the television and merchandising rights to his own company, promising the sport improved profits in return.

It was Mr Ecclestone's idea to package Formula One as a fortnightly show — increasing its appeal to television and sponsors which sowed the seeds of the sport's current success. He is now targeting pay-per-view television as the next big growth market and is believed to have invested £50 million of his own money in creating a state-of-the-art system that will allow viewers to choose which driver to watch.

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## Labour's £1.5m

Continued from page 1  
advice and decided to return the donation.

"My advice was sought by the General Secretary of the Labour Party in view of the wider implications for matters of party funding which my committee will in due course be investigating."

He added: "I make no criticism of the party for originally receiving a donation from Mr Ecclestone, but in the light of the changed circumstances I stressed the importance of those in public life being judged not only by the reality but also by the appearance."

It is the second major embarrassment for the Government since the exclusion for Formula One was announced. It emerged 24 hours after the policy U-turn that the husband of Tessa Jowell, the

Public Health Minister, was a former director of the leading race team Benetton Formula.

The Tory party, relentlessly attacked over its secret sources of funding by Labour in the last Parliament, could not resist the temptation to gloat. A spokesman said: "Labour has been caught on the horns of its own hypocrisy."

A Labour spokesman said: "We have acted swiftly and done the right thing."

Mr Mosley and Mr Ward, the other two members of last October's delegation to see Mr Blair, both belong to the exclusive 1000 Club, members of which give at least £1,000 a year to party funds.

Labour's trade union support has been falling rapidly from 77 per cent of party income in 1986 to 45 per cent last year. Then the unions contributed £6 million.

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# Cash pours in for Woodward fund

Organisers seek professional help in preparing for appeal against verdict, Daniel McGrory writes

LOUISE WOODWARD appeal fund organisers said yesterday that they want to use the £250,000 raised so far to clear the au pair's name, but that they needed professional help to handle the money.

Cash and cheques are pouring into Woodward's home village of Elton, Cheshire. Securocor provides a free armoured vehicle each afternoon to collect the latest cash donations and so many foreign coins and banknotes have been sent that they have been put in a safe in the community hall until banks can deal with them.

Linda Reynolds, who helped to launch the campaign in February after Woodward was arrested, said: "We just cannot cope with it all. Money is coming in faster than we can count it. It's too soon to say exactly how it should be spent, but the priority must be to prove her innocence. This is why the appeal was started."

A local bank yesterday pledged to send its own solicitor and accountant to help in distributing the money.

Mrs Reynolds said: "It has got completely out of control. We certainly haven't had time to work out what to do with



Richard Unger, Internet co-ordinator, and a woman supporter watching the manslaughter judgment coming in at the Rigger pub, the Woodward campaign headquarters

the money. Louise and her parents must be consulted along with the people of Elton. We are afraid that those who sent money might think we have wasted it. We need outside, professional help because the sums involved are enormous and getting bigger all the time."

Woodward has been kept informed of the fund's rising total in her prison cell and has

been sent some of the thousands of letters that have accompanied cheques and postal orders.

Mrs Reynolds said: "There was a night not so long ago we had a bingo session in the local pub and raised £10 profit and thought we had done well. We didn't need to appoint trustees, nor committees because we only raised £13,000 in the first eight

months. That was used to keep her parents in Boston so they could be close to her. Since the verdict it has gone mad."

Organisers are waiting to see if the US-based recruitment agency that hired Woodward will continue to pay her legal costs. Mrs Reynolds said: "Louise will appeal this [manslaughter] verdict, so our money may not go far. If she has to stay in jail

then we need to help her parents, Gary and Sue, and her sister, Vicky, stay in Boston or visit her regularly."

"If there is money left over then we want a local committee along with Louise and her family to decide how to use it. She has already hinted she would like to help a charity for children in Boston."

Staff from the EF Au Pair recruitment agency at the Rigger pub in Elton, which has become the campaign headquarters. Sheila McCabe said: "We need to know if they will pay for her appeal or we will have to. We will also have to find out how much that might cost."

Mrs McCabe said that when the fund started they asked a woman accountant

from outside the village to detail every donation. "She also detailed how the money was spent, which was almost entirely on living expenses for the Woodward family in Boston."

"We are afraid all this money could cause argument in the village about how it is spent. That we want to avoid at all cost."

The judgment, page 12

## Campaign team greet judgment in silence

By Russell Jenkins

SUBDUED silence greeted the judgment in The Rigger public house in Elton, Cheshire, the centre of the campaign to free Woodward.

Friends and villagers squeezed into the bar were concentrating on the blank Internet website when news of the judgment filtered through via satellite television. One woman sitting on the bar put her hand to her mouth and said "oh no". Another supporter at the back of the public house whooped with delight but was shouted down. The general reaction was muted and stony-faced.

There was little emotional reaction as people broke up into knots to discuss what the judgment meant for Woodward and her chances of being home for Christmas. Karen Rhodes, 19, one of her closest friends, said: "We will fight on. We are hoping she will be home soon. We want a complete acquittal."

Jean Jones, of the "Justice for Louise Woodward" campaign, issued a statement saying: "We firmly believe, as we have always believed, in Louise's total innocence. This campaign will continue until Louise comes home."

## Web surfers caught out by power failure

By Damian Whitworth and Frances Gibb

AU PAIR Louise Woodward's agonising wait to hear her fate delivered via the wonders of new technology was prolonged by an old fashioned black-out yesterday.

Judge Hiller B. Zobel's ruling — the most eagerly awaited single e-mail message in the history of the Internet — failed to appear on screens around the world when an entire section of the city of Boston, Massachusetts, suffered a power failure.

As the judge pressed the button at Middlesex County Court to send his e-mail to the Lawyers Weekly magazine site on the Internet, the service provider was one of many businesses in Boston to lose power.

The failure was unrelated to the number of people trying to access the site around the world.

"The server had a power failure one minute before we were to issue the decision," Middlesex County Court clerk

Whitney Brown said. "It just totally crashed the system."

The ruling did not become available for more than an hour later.

But minutes after 3pm, when the ruling had been due to appear electronically, the result was known by American TV reporters who had had the result leaked to them by court staff.

At 3.20 reporters were reading it live on television from hard copies given out by the court once the extent of the new technology failure became known.

Even when the decision finally made it on to the Internet, it proved tremendously difficult to access because of the number of people wishing to read it.

Virgin Net in Britain, which was one of a number of "mirror" web pages set up in order to handle the volume of users, said that it had received around 1,000 "hits" every 20 seconds as 3pm approached.

The provider of the Lawyers Weekly service, Software Tool & Die in Brookline, Massachusetts, criticised the courts for not having had a back-up.

The company said that it would have recommended this but had not been told that it would be putting out the ruling.

"No one contacted us to say that they were putting this out through our service," said Mary Riendeau, vice president of customer services.

"People will have been criticising the Internet, but the Internet is not a real-time network but is expected to be such."

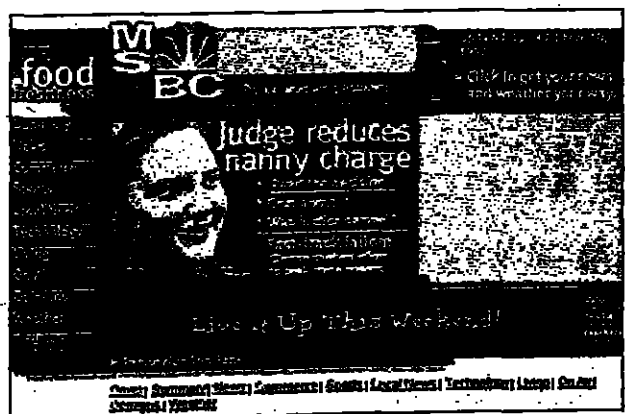
Judge Zobel had intended that his decision would be issued only over the Internet system to avoid a media crush at the courthouse and had wanted to make the document instantaneously available to people on both sides of the Atlantic who have closely followed the case.

The posting of the ruling on the Internet was to have been a first in Massachusetts and possibly the United States.

Other jurisdictions regularly post their decisions on the Web, but only after they have been filed with the court clerk and are available in paper copies.

More than 160 Web sites were devoted to covering the case.

The Internet is so commonly used in the greater Boston area that Judge Zobel admonished jurors daily that in addition to not watching television, reading newspapers or listening to the radio, they should not look at the Web.



A news agency's announcement of decision on Net

## Timetable of case that tested justice

July 1996: Woodward, 18, finishes A-levels and finds placement through EF Au Pair agency in Boston, Mass.  
November, 1996: After leaving first placement, unhappy at 11pm "curfew", starts work with Eappens in Newton Heights, Boston.  
January 30, 1997: Eappens, concerned at late nights out, draw up written requirements for "the safety and well-being of our kids".  
February 4: Woodward calls ambulance after Matthew stops breathing. He is put on life support at Boston Children's Hospital.  
February 5: Woodward arrested. Pleads not guilty to battery. Unable to meet bail of \$62,500, sent to Framingham women's prison.  
February 6: Matthew critical. As well as brain injuries, doctors say he has four-week-old arm fracture.  
February 10: Matthew dies of brain haemorrhage

after life-support machine is switched off.

February 13: Woodward denies murder. Refused bail. Funeral service for Matthew.

March 5: Grand jury decides Woodward must face charge of first-degree murder.

October 7: Trial starts.

October 8: Brain surgeon Joseph Medsen concedes that head injuries could have been received days or weeks before Matthew was taken to hospital.

October 9: Pathologist Gerard Feigin, who carried out autopsy, says he found no evidence of shaking.

October 14: Det Sgt William Byrne says Woodward admitted she "may have been a little rough" with baby when he was "cranky".

October 23: Woodward in tears as she describes frantic attempts to revive him.

October 26: Insists on all-

or-nothing verdict, stopping jury considering charges less serious than murder.

October 28: Prosecutor calls her "a liar and aspiring actress".

October 30: Jury returns verdict of second-degree murder; mandatory life sentence with no parole for at least 15 years.

October 31: Judge Hiller Zobel passes sentence.

November 1: Woodward tells parents: "Please don't let me spend the rest of my life in here for something I didn't do."

November 2: It emerges that jury was split when it retired: those favouring acquittal were persuaded to accept conviction.

November 4: Judge hears defence plea for verdict to be overturned or charge to be reduced.

November 10: Judge reduces sentence to manslaughter.

## A legendary pairing.



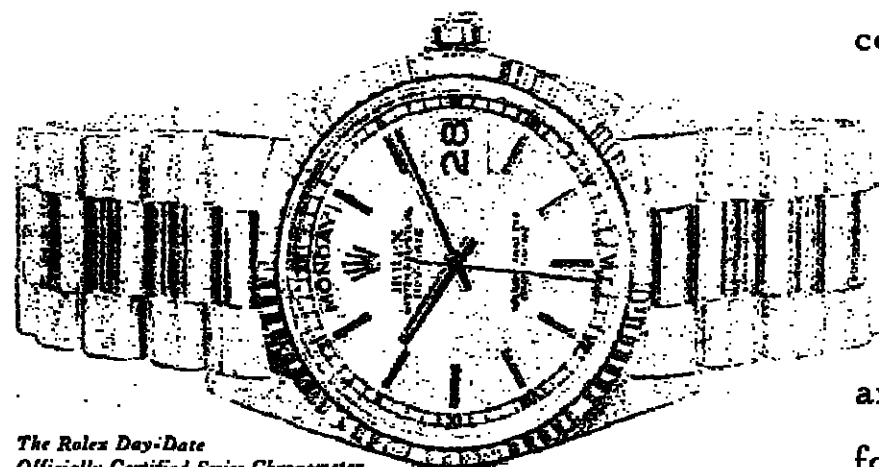
For more than three decades Arnold Palmer and Jack Nicklaus have been joined in one of the most intriguing rivalries in sport.

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"When I look back on all our years of competition," says Nicklaus, "I see it has worked exactly the way it should. It has brought out the best in both of us." And Palmer agrees, adding, "Not only that, it's also been fun."

Over the years, the pair have also competed as businessmen and golf course designers. But through all their battles, athletic and otherwise, they have shared an unwavering love for the game

and an abiding appreciation for their chosen timepiece.



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# Church repents for supporting Japan's war 'sin'

REPORTS BY RUTH GLEDHILL, RELIGION CORRESPONDENT

THE Anglican church in Japan has issued its first public apology for its sin in having allowed "the colonial rule and the war of aggression by the State of Japan" before and during the Second World War.

## Services will return to traditional format

The Church of England has conceded that its modern liturgy is "flat and unpoetic" and is returning to a traditional format in its services. The licence of the 1980 Alternative Service Book will not be extended when it expires in 2001.

The ASB will be replaced by a new book called *Common Worship* in which modern services and rites using the language of the 1662 Book of Common Prayer will stand side-by-side.

Some of the new services are being tested in 800 parishes in England. A Church spokesman said: "The return

to a more sonorous language has been well received."

The church, which has 57,000 members, says it should have repented for failing to oppose Japan's role. It said its general synod, dioceses, bishops and parishes had compromised their faith with the idea of a "Tenno", which the statement describes as a "God of heaven-ruled nation and militarism which go

against the gospel."

The statement says: "The Nippon Sei Ko Kai was oppressed by the authorities, and some priests and lay people experienced the struggle of faith. But despite these bitter experiences, our church has not been able to stand beside those who are oppressed and suffering."

The church was unable to see Japan as an aggressor in the war, the statement says. Instead, using special prayers, "our church has justified Japan's rule over other ethnic groups and supported the war under the name of Christianity. We have been a closed church whose main concern is the expansion of the membership and the retention of the institution, thus being unable to serve as the salt for the earth as indicated in the gospel."

The statement, drawn up by the church's general synod in 1996 but only released today, says the church has neglected to change its attitude, and had even included the "Tenno" system of government in its prayer book.

The church confesses that, even after the war, it failed to abandon its "discriminatory attitudes" and prays for change. According to a background paper issued by the General Synod of the Church of England, which has sent the

confession and apology to all 575 members, the process that led to the statement "involved much pain and heart-searching."

A number of other churches in Japan have produced similar statements. The Church of England considers the statement "remarkable" given the tiny size of its Japanese sister church, and when "the cultural significance of admission of

guilt, confession and apology is taken into account," according to John Clark, secretary to the Partnership for World Mission.

According to the Most Rev James Takashi Yashiro, primate of Japan, the statement of apology has appeared "after much prayer, reflection, discussion and heart-felt concern for the oppressed and suffering."

The General Synod is to consider calling for an amnesty



The Japanese Ambassador with a former prisoner of war after laying a wreath at Coventry Cathedral yesterday

## Hope at talks to heal rift between churches

THE Church of England and the Methodist Church will move a step closer to becoming one, united church under proposals to be debated by the General Synod later this month.

The synod is to be asked to set up "formal conversations" with Methodist leaders in Britain. Although eventual unity — with the two churches effectively coming together under one roof and ministry — could be years if not decades away, this is the first step towards healing a two centuries-old breach between Methodism and Anglicanism.

Informal talks between the two churches have been taking place for some months. The last time a move towards unity was attempted, the Church of England rejected Methodist overtures in 1982 because of concerns in the Anglo-Catholic wing of the Anglican church.

Many of those concerns remain, but the Anglo-Catholics are less strong today after the exodus to Rome caused by the ordination of women priests. However, any moves towards full unity are certain to be cautious to avoid another such rejection.

If the synod agrees to set up formal talks, proposed by the Council for Christian Unity, the Methodists will debate the issue at their conference in Scarborough next June. Talks would then proceed shortly afterwards.

Philip Mawyer, the synod's Secretary General, said: "There is a natural caution which follows the past history of events. We do not want to be the ones who walk up the aisle but then leave when we get to the top and do not go through with the partnership."

Mr Mawyer added: "If it is accepted it will set in train a process which will enable us to move forward together on an increasingly convergent path with the aim of an eventual coming together of the two churches."

Difficulties centre over the nature of episcopal leadership. Methodist churches in some parts of the world have bishops, but not in England. Also, Methodists accept the ministry of women throughout the church, whereas the Church of England is unlikely to allow women bishops to be consecrated until well after the millennium.

## More apply to become priests

SO MANY people are applying to become vicars that the Church of England's training budget has gone into the red, according to figures released yesterday.

The number of men and women applying to the priesthood has exceeded all expectations and is being interpreted as a sign of growing confidence in the established Church. New figures to be published in February will also show an increase in baptisms and confirmations.

Church officials will go cap in hand to the General Synod when it meets at Westminster next month to ask for more money for the training budget. The overspend has come because the Church believes that all who have a genuine vocation must be accepted to the ministry.

After 1993, following years of decline, numbers started to increase fractionally. Then last year there was a sudden surge in numbers recom-

mended for training for the full-time stipendiary ministry. While 348 new ordinands were accepted in 1993, this increased to 390 in 1996 and has gone up further to 441 this year. About a third of ordinands are women.

An extra £210,000 is needed from the Church's central board of finance, on top of the £6 million it already pays, to finance the increase. About 600 clergy are ordained each year, keeping a level of about 10,000 in service after taking into account retirements and those who leave.

The Rev Bill Beaver, director of the Church's communications, said: "There are a lot of signs around of a recovery of confidence. There is the way the funeral of the late Princess of Wales went, the way the Church's bishops took a stand on assuring the safety of church schools, and now the rising number of ordinands. All these things add up to a new spirit of confidence."

Letters, page 23

## What can you do about the exploitation of Third World families?



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Mrs Daniel, Bournemouth

Lawrence K loses appeal



## Hope at talks to heal rift between churches

THE CHURCHES of England and Wales will meet in a historic attempt to heal the rift between them. The talks, which began yesterday, are the first since the split in 1968 over the issue of homosexuality. The Anglican and Roman Catholic churches have been at odds ever since, with the Anglican church accusing the Roman Catholic church of being homophobic and the Roman Catholic church accusing the Anglican church of being too liberal.

# Woman went for help with knife buried in her head

Court told man confessed to train carriage attack in 999 call, Joanna Bale reports

A WOMAN stabbed in the head on a train managed to walk to an adjoining carriage to seek help with the 5in blade still embedded up to the hilt, a court was told yesterday.

After Robert Buckland thrust the hunting knife into her head, Alison Kennedy said she walked slowly through the empty railway carriage and into the next, where another passenger kept her talking until the train stopped at the next station and the alarm was raised.

In a statement read out to the Old Bailey by Gino Connor, for the prosecution, Miss Kennedy, 28, said that she was alone in the carriage on the 8.30pm London Waterloo to Guildford train last March and was feeling frightened when Buckland went to sit behind her. "About 30 seconds later I felt a terrific pain in my head. I put my right hand up and knew that something was in my head. My hand was covered in blood. I felt the handle and then the blade. I knew it was big."

"I was shaking and terrified. I said to myself: 'God, I have got to get some help'. I walked up the carriage holding

on to the seats and opened the carriage door into the next one."

There she saw a male passenger. "I said to him: 'Can you help me? What's happened?' He looked at my head. I said, 'Something terrible has happened. Have I been stabbed?' He replied, 'Yes, you have'. She then pointed out Buckland, who was further down the train, to the man. "I remember finding it difficult to sit down. I had horrific pain in my head. I kept asking him if I was going to die."

The man went to get the guard and told her that she would get help at the next station, West Clandon. As she was taken into the ambulance, the pain began to get worse. She said: "I began to shout about the pain and they gave me oxygen. I was terrified. They told me it would take 20 minutes to get to hospital. I remember thinking, 'How am I going to survive 20 minutes?'"

After being examined at the Royal Surrey County Hospital, she was transferred to the National Hospital for Neurology and Neurosurgery in London with the knife still embedded in her brain. Mr Connor told the court: "Miss Kennedy miraculously didn't



Artist's impression of Robert Buckland: he admits wounding

die and miraculously didn't even lose consciousness."

The court was told that after the attack Buckland tried to escape from the moving train by forcing a door open, but failed. When the train stopped, he ran off down the track and eventually stopped at a telephone kiosk where he dialled 999.

The jury was played a tape of the conversation Buckland had with the operator, in which he said: "I have just stabbed someone with a knife." The

operator asked him: "Can you tell me why you did it?" He replied: "Just this urge to do it. It just came over me." While the operator kept him talking, she alerted the police and Buckland was arrested at the telephone kiosk.

The jury was shown the knife and X-rays of it embedded in Miss Kennedy's skull. At the time of the attack, Mr Connor said, Miss Kennedy was a "fit and healthy woman with a zest for life". She had a degree in art and had done a postgraduate course in sculpture. She had spent some time working in London but had moved back to her native Belfast in 1996 to become an education officer for the Multiple Sclerosis Society. At the time of the attack, she was visiting friends and family in England.

Adrian Casey, a senior registrar at the National Hospital for Neurology, told the court that her injury was life-threatening and that she would never fully recover from the brain damage that it caused. It had left her with no peripheral vision in either eye and with a risk of epilepsy. She also had a loss of feeling in her left arm and required further surgery to insert a metal plate to repair her skull.

Buckland, of no fixed address, pleads not guilty to attempted murder but guilty to wounding with intent. The trial continues.



Alison Kennedy, who requires further surgery to repair the damage to her skull

## Policewoman wins fight over work sex gibes

By STEWART TENDLER, CRIME CORRESPONDENT

A WOMAN detective who was nicknamed "Massive Cleavage" and subjected to a barrage of sexual abuse by male colleagues yesterday won her case for harassment.

An industrial tribunal ruled that Detective Constable Dee Mazurkiewicz had suffered months of harassment by Thames Valley police. DC Mazurkiewicz, 41, is the second woman officer to win a case of this nature against the force in the past three months.

During the hearings DC Mazurkiewicz, a single mother of a seven-year-old daughter, described how she was tormented by fellow officers at Aylesbury, Buckinghamshire. At one stage they claimed she got confessions from criminals by "getting her boobs out".

They also accused her of wearing no underwear and performing sex acts on prisoners in exchange for confessions.

She eventually went sick and complained in November 1995 about the harassment. Inspector George Pugsley investigated her allegations and she was transferred after he found no evidence for her claims.

John Hollow, the chairman

of the tribunal sitting in Reading, accused him yesterday of misrepresenting the facts when he gave evidence. He said the inspector had conceded that he thought indecent remarks had been made but then said he could not be sure they had been made by two officers accused of discrimination, Detective Sergeant Dave Phillips and Detective Constable Michael Hunter.

Mr Hollow said: "The most charitable view we can take is that it was disingenuous to say there was no evidence whatsoever. It is in our view a misrepresentation of the facts."

Mr Hollow said it was clear that within the CID office there was a culture of hawdy repartee between the officers. The woman detective had said that she was no shrinking violet.

Mr Hollow said an individual might be able to take remarks at first. Later, circumstances could change and what was acceptable might then become intolerable. That was the case for DC Mazurkiewicz.

The officer won her case for harassment and victimisation but not discrimination. She will now be examined by a Thames Valley Police medical officer to see if she is fit to return to work. Damages will be decided and announced in February.

After the decision Ian Blair, assistant chief constable of Thames Valley, said: "We feel sorry that Miss Mazurkiewicz has felt distress at this case. We will learn from it. She is welcome back and the decision as to whether she would like this is up to her."

He said that the force, which is the largest shire force in the country, would look at the judgment and further action may be taken against the officers criticised in the decision.



Mazurkiewicz: victim of station taunts

## Lawrence killer loses appeal

By ADRIAN LEE

A TEENAGE gang leader yesterday lost his appeal against conviction for the murder of headmaster Philip Lawrence. Learco Chindamo, now 17, claimed he was the victim of mistaken identity and the real killer was another youth.

David Spens, QC, for Chindamo, said that witnesses who saw him strike the fatal blow as Mr Lawrence, 48, tried to break up a fight outside St George's Roman Catholic school, in Maida Vale, north west London, two years ago, were mistaken.

Judge Neil Dennis, the original trial judge, failed to properly direct the jury on the proper identification evidence. Mr Spens said, His client had swapped clothes with the other youth, then aged 15, shortly before the stabbing and the face of the attacker was obscured by a mask or hood.

"The incident took place in a matter of seconds," Mr Spens

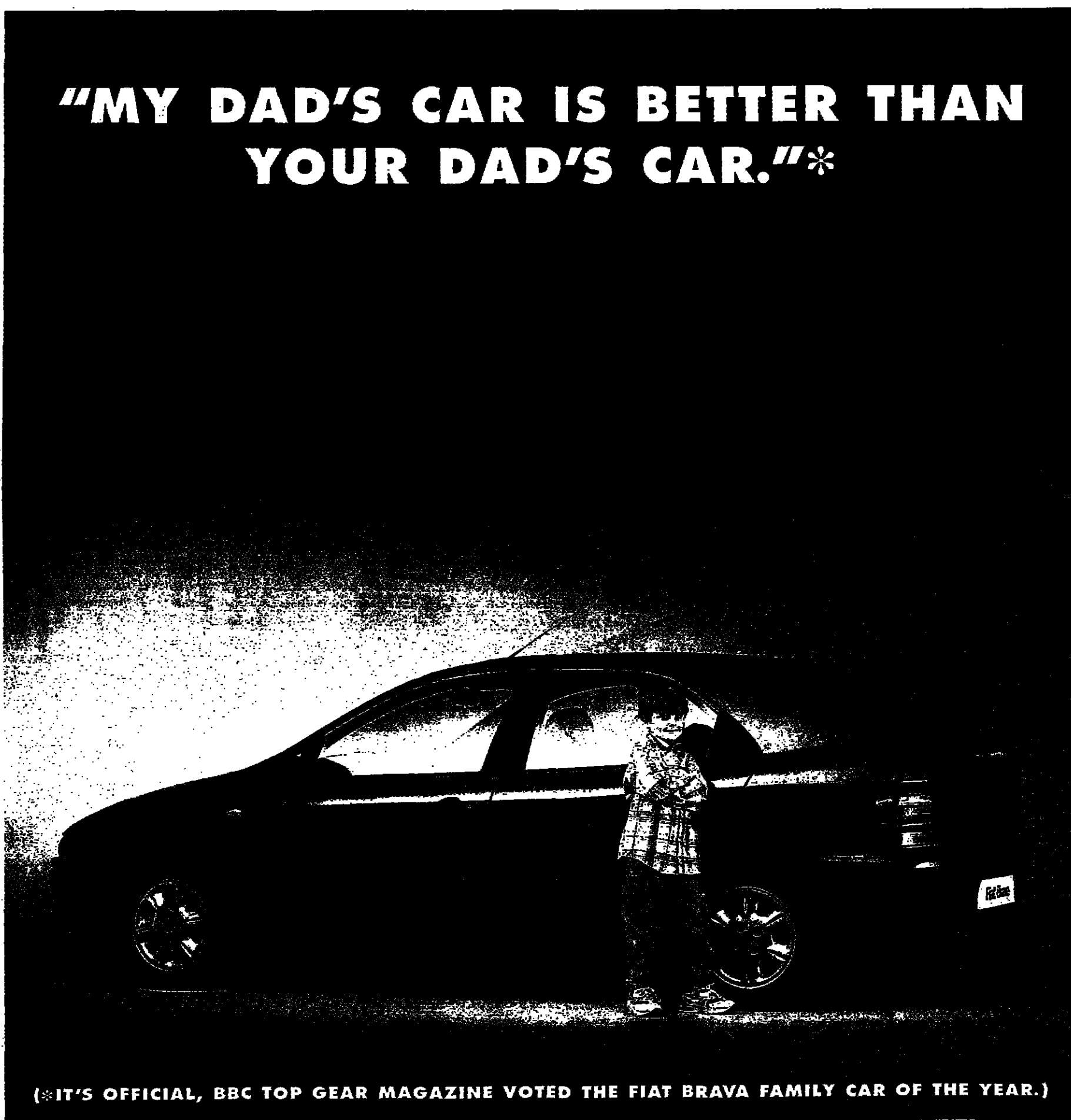
said. "The immediate area was crowded with schoolchildren on the pavement, spilling into the road."

Mr Lawrence's widow, Frances, was at the Court of Appeal as Lord Bingham, the Lord Chief Justice, sitting with Mr Justice Kay and Mr Justice Brown, rejected the appeal. He said: "In the light of all the arguments advanced, we are in no doubt that this conviction is safe."

Chindamo was ordered to be detained during Her Majesty's pleasure following an Old Bailey trial in October last year. The court heard then he was part of a triad-style gang which had gone to "sort out" a pupil at Mr Lawrence's school. Mr Lawrence was hit in the face and stabbed through the heart.

Several witnesses identified Chindamo and one schoolgirl said that she saw the other youth leave the scene before the stabbing.

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# Drought damages project to restore salmon to Thames

AN AMBITIOUS plan to restock the Thames with salmon after 140 years is being threatened by drought and higher water temperatures.

This year's salmon run has been by far the lowest since scientists began reintroducing young fish into the cleaned-up river in the late 1970s and keeping an annual record of the number of adults returning from the open sea.

So far no more than 25 fish have been caught in the trap operated by the Environment Agency at Molesey Weir, 4½ miles upstream from Teddington, which marks the limit of the tidal Thames. The peak months for returning fish are August and September.

Greg Armstrong, the agency's regional fisheries manager, said: "We are seeing a worrying trend. Since 1993, when a record 338 returning fish were counted, there's been a steady decline, with 238 in 1994, 190 in 1995 and 162 last year." Salmon face unusually

Climate change and low flow blamed as fewer fish return to spawn, Michael Hornsby reports

hostile conditions this year, including low freshwater river flow, which was reduced still further by abstraction to top up reservoirs, and August temperatures of 24C in the tideway — well above what the fish will tolerate.

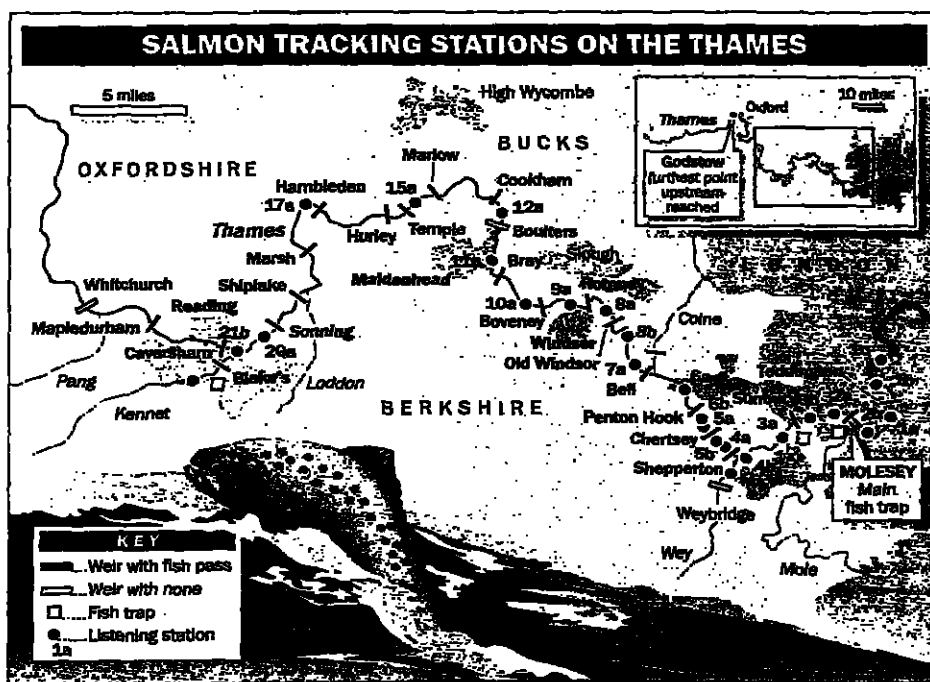
Sudden summer rainstorms and flash floods made matters worse by overloading London's Victorian sewer system, which overflowed and poured large amounts of untreated effluent into the Thames, lowering oxygen lev-

els in the water. "Taken together, these conditions made it very difficult for salmon, which are fastidious fish, to get through the tideway and into the freshwater reaches of the river, which they must do if they are to have a chance of spawning," Mr Armstrong said.

"There is little doubt that drought was the critical factor, even if other things may have been happening out at sea which we do not know about. There have been dry periods before but we could now be facing a permanent climate change."

The setback comes just as the salmon restoration project was about to enter a crucial new phase with the start of work later this month on the first of 17 fish passes on the Kennet, which flows into the Thames at Reading, at a cost of £1.3 million.

The Millennium Commission has donated £588,000, the Thames Salmon Trust, a char-



ity that raises funds from commercial sources, is providing £428,000 and the Environment Agency has agreed to make up the balance.

The Kennet is thought to offer the best spawning grounds for salmon, which like to lay their eggs in riverbed gravel washed by shallow, well-oxygenated water. The Thames itself, at least in its lower reaches, can no longer provide such sheltered sites. The passes will allow salmon to move from lower to

higher levels of the river with minimum effort up gently sloping channels built into the side of the weir. There are already 21 passes between Teddington and Reading.

Since 1995, scientists have trapped and radio-tagged many of the returning salmon and monitored their further progress upstream via a series of listening posts. The design of the Sunbury pass had to be modified after it was found that 50 per cent of fish were failing to get through it.

"Salmon are capable of jumping over weirs unaided," Mr Armstrong said. "Indeed, one was recorded as far upstream as Godstow, near Oxford, in the early 1980s. But we need virtually all returning salmon to reach the spawning grounds and not just a few super-athletes."

Scientists think that at least 1,000 salmon will need to return each year to the Thames for there to be any chance of reestablishing a truly natural population.

## Goats fall victim to appeal of Irish music

BY AUDREY MAGEE, IRELAND CORRESPONDENT

THE popularity of Irish music is exacting a heavy toll on wild goats in the west of Ireland. They are being hunted for their skins by rustlers capitalising on the increasing international demand for the bodhran, the traditional hand-held Irish drum.

The Irish Society for the Prevention of Cruelty to Animals is investigating farmers' reports that goats have been rounded up and killed along the west coast, particularly in the counties of Galway and Clare. The animals are skinned and the hides sold to drum makers, who are working to keep up with demand for the bodhran.

Malachy Kearns, Ireland's most renowned bodhran maker, said that he receives weekly calls from dealers offering goat skins for sale. "I have my own network of suppliers and do not get involved but it is obvious that these goats are going out into the woods and mountains to take shots at the goats," Mr Kearns said. "They don't have a clue about what they are doing but have heard bodhrans are fashionable and want a quick way to get some money for drink and drugs."

Since the Irish music and dance show Riverdance hit the international stage in 1994, the demand for bodhrans has surged. When he started his drum-making business in Roundstone, Co Galway, 15 years ago, Mr Kearns wondered how long it would survive. Today he is working in a £4 million industry, employ-

ing 30 other part-time drum-makers around Ireland. Almost three-quarters of the 15,000 instruments are exported and advice on how to play it is on the Internet.

The bodhran can be made with synthetic material and thousands of cheap drums are produced in Taiwan. A proper bodhran, acceptable to musicians such as Christy Moore, is treated goatskin stretched across a beech hoop, costing from £50. Many of the bodhran makers use skins from India and Africa. Mr Kearns tried them but found them too brittle and resorted to the Irish goat.

He said: "Bodhrans have to be very tough. It is not just any type of goatskin — it has to be strong enough to tolerate the bounce of the drumstick. The goat must be well fed and looked after to produce that kind of skin."

No precise figures are available but it is estimated that only a few thousand wild goats survive today, most of them along the west coast. In 1994 the EU sought to give the animals special status under the environmental protection scheme. The initiative failed, however, when farmers objected, complaining that the goats were pests and destructive of crops, leaving the animals vulnerable to rustlers.

They shoot or lasso the goats and drag them to a waiting van. Each hide fetches about £10 while the meat is sold to factories. Meat from kids fetches a good price in some Dublin restaurants.



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# Boffin aged ten solves peace quest with pet project

By PAUL WILKINSON

## PET CHEATS

- 1 Get on to the clock function
- 2 Press buttons 1 and 3
- 3 When the word "set" appears, press button 1 to change hour and button 2 to change minute
- 4 Your cyberpet must go to sleep every night at around 9pm. If you make sure it is satisfied, then set the clock to around ten minutes before it goes to sleep at night. Make sure you have it set to put. Do this before school, switch off its light and it will remain happy for 12 hours.
- 5 To wake up repeat the above procedure but set to am not pm.



Back to reality: Todd Green had discovered how to keep his cyberpet alive yet silent, but then his mother put it in the washing machine

TODD GREEN has come up with a solution to one of the biggest problems facing young people in the closing stages of the 20th century — how to keep cyberpets silent yet alive while their owners are at school.

At the age of ten, Todd's moment of popular acclaim in the world of scientific discovery was slightly marred yesterday. Even as teachers and manufacturers were hailing his work, his mother accidentally put his latest cyberpet in the washing machine, rendering it silent but dead.

Electronic pets have been banned from many of Britain's classrooms after driving teachers to distraction by their frequent beeping for attention. Their owners are reluctant to leave the gadgets at home, where their calls for feeding or playtime can end in "death" if not answered.

Todd, from Hillsborough,

Sheffield, found an old-technology answer: Cheat. In a letter to *The Times Educational Supplement* he tells owners to fiddle the toy's clock setting from am to pm, to make it believe that school time is night-time when it should be asleep. It was a natural advance for the boy who fixes the family computer when it baffles his father, a university lecturer. In his letter, Todd

announces: "I have researched cyberpets and figured out a way to switch them off without killing them for up to 12 hours. For all those people who are desperate to keep them alive without being told off, here are five simple instructions. This works on most cyber pets."

Todd, a pupil at Marldiffe primary school, said yesterday: "The pets are not yet banned at my school, but the teachers were really getting cross. So I sat down and tried to work out how to switch my cyberpet off without killing it. It took me three days."

"Sadly my latest one is completely dead now, my mother put it in the washing machine by accident this morning and it is finished."

His father Keith, 43, a linguistics lecturer at Sheffield Hallam University said: "Todd is a real cyberpet expert, in fact he's a real computer expert. He fixes anything that goes wrong on my machine when I don't have a clue."

"He's on his fifth or sixth cyberpet since I guessed for hours to get him his first one last January. He acquires a more complicated one each time and passes the old one on. He's known as the boffin among friends at school. They bring their cyberpets to him when they need special attention. He's a sort of cyberpet consultant. At one stage he was looking after about five or six of them for his friends."

"I suppose he wrote to the TES because of his parents' background. I am at university and his mother is retraining to be a teacher." Todd has two younger sisters, Faye, eight, and Kai, five, but neither are great cyberpet lovers. "Kai has a hamster" said her father. "She prefers the real thing."

## Social services knew of child sex killer

By SHIRLEY ENGLISH

A CONVICTED sex offender who abducted and strangled a nine-year-old schoolboy while under the supervision of social workers was sentenced to life yesterday with a recommendation he serves at least 25 years.

Steven Leisk, 34, pleaded guilty to abducting Scott Simpson with intent to commit a sexual offence and strangling him with a scarf on July 17 this year. He also admitted previous sex attacks on two 14-year-old boys.

Scott went missing after a football game in a local park in Aberdeen. His body was found four days later in the early hours of July 22.

It emerged that the killer, who had four previous convictions for sex offences and had been released from prison in December under supervision, had been living across the road from the children's park used by Scott in the Powis area of the city.

The former army medical orderly, who served in the Falklands, was on a police list of sex offenders and under the supervision of Aberdeenshire social services department. But the High Court in

Aberdeen was told that social workers failed to alert police to the possible threat despite a highly publicised four-day search for the missing boy.

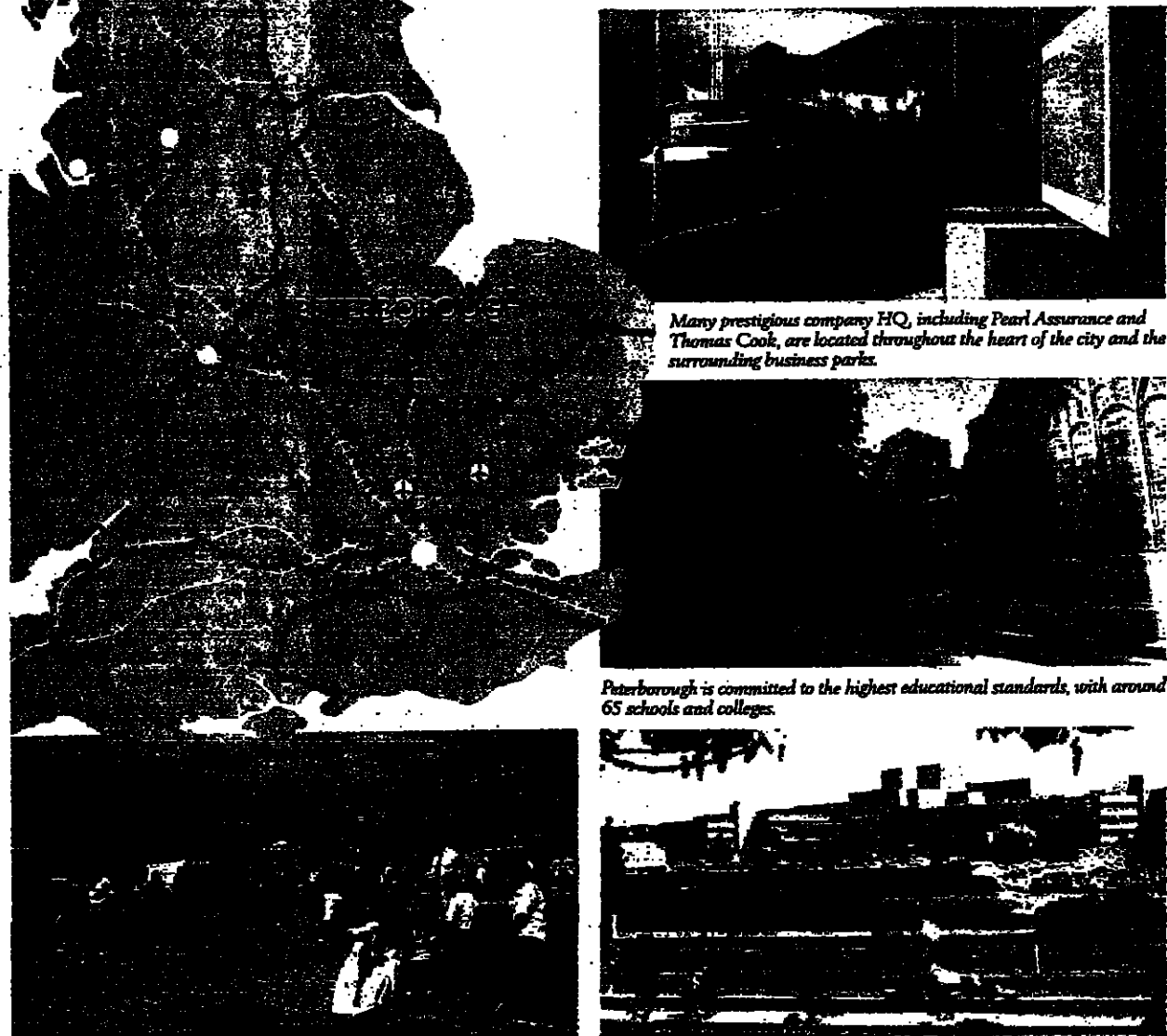
It fell to a concerned member of Leisk's family, who has not been identified, to contact the police. It was then that officers called at the paedophile's home and he confessed to the killing.

Scott's parents demanded a public inquiry into what they claimed was the atrocious handling of the case by police and social workers who yesterday were refusing to admit mistakes had been made.

Peter Cassidy, head of social work at Aberdeenshire Council, defended the member of staff responsible, claiming that he did not believe Leisk was worthy of suspicion despite his appalling past record. According to the social worker he had appeared to be making progress in his life.

However, it emerged that Scottish office guidelines recommending twice monthly visits had not been maintained. He was only seen eight times by social workers between his release and the murder.

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# Naming of failing schools to continue

John O'leary and David Charter report on a policy branded a stunt

MINISTERS promised yesterday to carry on "naming and shaming" the worst schools despite teachers' claims that the approach was a political stunt with no educational value.

David Blunkett, the Education and Employment Secretary, announced that four of the 18 schools which in May were given six months to improve or face closure were no longer failing their pupils. Two schools, Blakelaw Comprehensive, in Newcastle, and

Handsworth Wood, in Birmingham, will close, although Blakelaw will reopen under a new name. The fate of the remaining dozen will be reviewed before the end of the school year. Mostyn Gardens primary school, in Lambeth, South London, and Selhurst High School, in Croydon, are still causing "serious concern" and could close.

Question marks also hang over two schools whose viability is being reviewed by their local authorities. A decision

will be made on Earl Marshall school, in Sheffield, before the end of the year, while Dulwich High School, in Southwark, South London, is the subject of a long-term review.

Teachers' leaders and the heads of some of the 18 schools said that improvements were taking place before ministers published their list. Mr Blunkett said yesterday that the process would continue. "Those who thought it was a gesture are going to get a very rude awakening," he said.

that the Government's action had triggered improvement in schools where there had been long-term failure. "I make no apology for it. I will continue doing it."

Nigel de Gruchy, general secretary of the National Association of Schoolmasters and Union of Women Teachers, said Mr Blunkett's comments were "pure self-justifying fiction". Doug McAvoy, general secretary of the National Union of Teachers, said: "Naming and shaming was for media manipulation. It had no positive impact and no educational validity." David Hart, general secretary of the National Association of Head Teachers, said: "Yesterday's announcement is a shallow attempt to give credence to a political stunt."

Their criticisms were shared by the head of the most successful of the 18 schools. Jean Millham, of Morning-side Primary School, in Hackney, East London, said: "This school was improving long before the naming and shaming. We had not had an inspection since November. They condemned us six months later without bothering to pay us another visit. It just knocked everyone back and hurt the parents, children and teachers. I hope they will learn this is not the way to do it."

She conceded that extra money and specialist advice under the policy had allowed the school to speed up its improvement programme. Russ Wallace, head teacher at Blakelaw School, Newcastle, said the announcement in May was a catalyst for change. Blakelaw will get a "fresh start" next September with a new name and new staff. "Our initial reaction to the naming and shaming was abhorrence and disgust," he



Russ Wallace, head of Blakelaw School, said that the "naming and shaming" was a catalyst for change

## INSPECTOR'S REPORT

Abbey Farm Middle School, Thetford (failed January 1995): Good progress, likely to come off failing list next term.

Ashburton High, Croydon (October 1995): Reasonable progress, new permanent head teacher but budget problems remain.

Blakelaw School, Newcastle (April 1996): Reasonable progress, new acting head backs LEA plan for "fresh start" next September.

Dulwich High, Southwark (April 1995): Reasonable progress, LEA still considering long-term future.

Earl Marshall School, Sheffield (August 1995): Reasonable progress, LEA considering school's future before end of year.

Handsworth Wood Boys' School, Birmingham (April 1995): Reasonable progress but closure planned at end of school year.

Kelley Park GM School, Bromley (March 1996): Reasonable progress, standards improving but budget problems remain.

Lee Green Special School, Waltham Forest (January 1996): Good progress, likely to come off failing list next term.

Lillian Bayliss School, Lambeth (April 1994): Good progress, likely to come off failing list next term.

Morningside Primary, Hackney (January 1995): Good progress, removed from failing list last week.

Mostyn Gardens Primary, Lambeth (September 1995): Limited progress causing "serious concern", new head and deputy start next term.

Our Lady of Fatima GM School, Liverpool (March 1996): Reasonable progress, new head teacher in post.

Rams Episcopal Primary School, Hackney (April 1995): Reasonable progress, action on weak teaching and standards improving.

St Mary of the Angels, Westminster (December 1995): Reasonable progress, standards improving, new head arrives next term.

Selhurst High, Croydon (June 1995): Limited progress causing "serious concern", 15 teachers warned to improve by Christmas or leave.

South Benwell Primary, Newcastle (April 1995): Limited progress but new head showing strong leadership.

Southfields GM School, Gravesend, Kent (April 1995): Reasonable progress, standards improving, new governors to be appointed.

Upbury Manor GM School, Gillingham, Kent (April 1995): Reasonable progress, standards improving.

## Exam results provide proof of turnaround

By DAVID CHARTER, EDUCATION CORRESPONDENT

DULWICH High School found itself "named and shamed" less than a year after its own relaunch when it changed its name and adopted a smart new uniform. The name it discarded, William Penn Comprehensive, had become synonymous with failure and infamy as the school that Harriet Harman passed over when she chose a grammar school for her son.

Unconvinced about the future of the southeast London boys' school has not been dispelled by yesterday's report which calls for inspectors to continue closely monitoring its progress. Dulwich High was classified as failing two-and-a-half years ago and spent £100,000 on its revamp in September last year.

After the "naming and shaming" announcement in May, the school blamed ministers for tarnishing its new image without giving teachers

enough time to transform the school's fortunes. More bad publicity was to follow in July with the trial of a 15-year-old pupil for stabbing another boy in the thigh. The jury cleared him of wounding with intent after hearing that bullying was rife at the school and the teenager acted in self-defence.

Lloyd Marshall, the head teacher, said: "The naming and shaming was totally unnecessary and unhelpful. I just wish people would be aware of the context and give my staff credit for the amazing work they have done."

He said that it was not unusual for almost three-quarters of 11-year-olds to arrive at Dulwich High with a reading age below nine, forcing the teachers to concentrate on the basics.

Evidence of the school's improvement has been provided by the pupils themselves. In this summer's

GCSE examinations, 22.5 per cent gained five or more A to C passes, compared to 9 per cent the year before, and in September 73 pupils joined Dulwich High compared to 45 the previous year, a sign that local parents were regaining their faith in the school.

The school was assessed by Gus John, former director of education in the east London borough of Hackney, who found it being used as a dumping ground for expelled pupils from all over south London. He concluded that had a future provided pupils numbers did not fall further and that teaching and discipline were addressed.

Southwark council said: "There have been some improvements at the school but there are continued concerns about behaviour, attendance and the quality of teaching. Further evaluation is now being considered."

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## Finishing school in a class of its own

By ALAN HAMILTON

A PEER's wife and a former Buckingham Palace butler are to open a school for butlers in Gloucestershire, teaching skills ranging from polishing silver to ordering wine on the Internet.

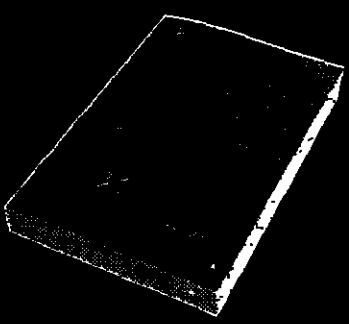
Student butlers, who can earn between £15,000 and £20,000 a year when fully trained, will have to pay £3,000 for the eight-week course being run by Sara Apsley, 32, a former beauty queen who is married to the son of Earl Bathurst, the heir to a 3,500-acre estate at Cirencester. Her business partner is Michael Shaw, 28, who worked for four years as a butler at the Palace.

Lady Apsley said yesterday that there was a healthy demand for butlers across a wide social spectrum. "Butlers are not a status symbol. They are a necessity if you have a certain lifestyle, such as a professional couple who are constantly travelling and need someone to keep things in order back home."

Trainers at the school, in a converted barn at Cirencester Park, where the Prince of Wales used to play polo, will be taught how to wait at table, decant wine, book holidays and order theatre tickets, as well as being made computer-literate.

Lady Apsley said the quality which made a good butler was the desire to look after people. And she might have added, the ability to lay hands on a ticket for England v South Africa at Twickenham on November 29.

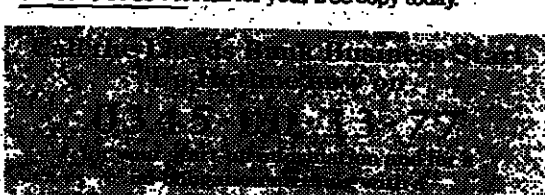
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# Woodhenge find rivals stone circles



An illustration of how a wooden henge may have looked under construction. At Stanton Drew, where the only visible remains are later standing stones, right, there were nine concentric circles of oak pillars a metre in diameter

## 5,000-year-old temple 'start of British habit'

By Nigel Hawkes, Science Editor

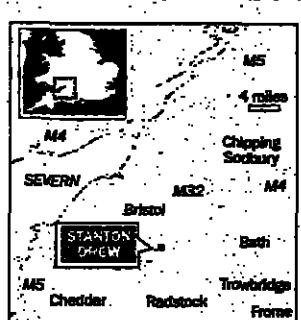
ARCHAEOLOGISTS have discovered traces of a huge and elaborate wooden temple dating back 5,000 years. Evidence shows that it was once one of the most important ceremonial sites in England, comparable in significance to Stonehenge.

Nine concentric rings of oak pillars once stood on the site at Stanton Drew in Somerset, surrounded by an enormous ditch. Each upright would have been up to a metre across and probably stood eight metres above the ground. All that can be seen today is a later stone circle. Such wooden henges are unique to Britain, and this one is twice as large as any of the other seven known.

The traces were found by archaeologists from English Heritage while they were carrying out a routine survey, using instruments that can detect small magnetic anomalies in the soil without disturbing the surface.

To our surprise and delight, what emerged was a timber temple of about 3000 BC," said Geoffrey Wainwright, chief archaeologist at English Heritage. "There is now no timber left - it would have decayed long ago. But the disturbance of the soil when the pits were dug to take the uprights shows clearly."

Andrew David, head of archaeometry at English Heritage, estimates that there



would have been between 400 and 500 oak uprights making up the nine rings. Each would have weighed five tons or so, nearly as much as the stones at Stonehenge.

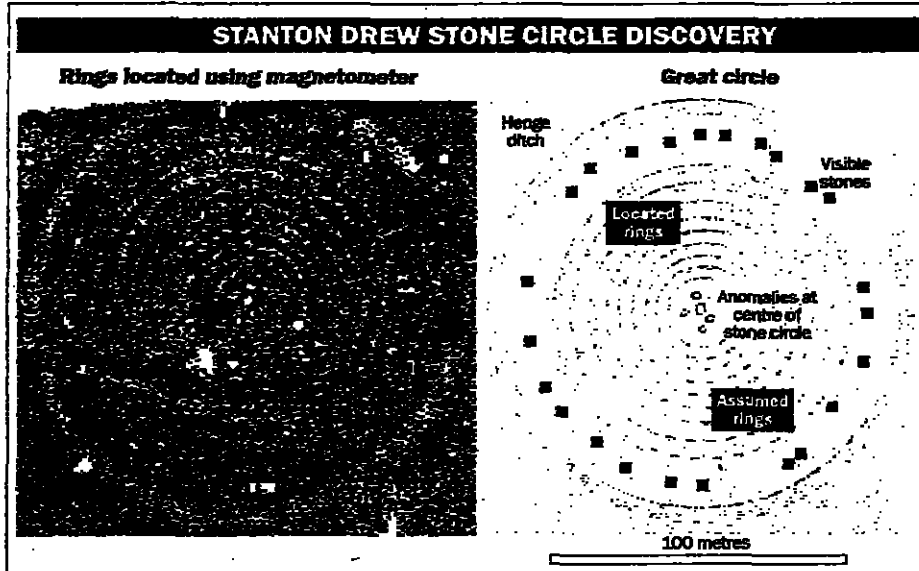
Some wooden henges had a roof, but Dr Wainwright said Stanton Drew was far too large to roof over. He sees it as a local centre where people would come to ask the supernatural powers to provide

them with plentiful crops, or healthy herds of animals.

"By this period, a social structure was developing, with distinct tribal areas. The temples were focal points for these tribes, where they gathered and held feasts. Other wooden henges contain masses of pig bones, along with decorated fragments of pottery. It looks as if the people deliberately broke the pots and scattered them around."

At the time, the population of Britain may have been as great as one million, according to Dr Wainwright. "It's a great mistake to think the people who built this place were rude, untutored, starving individuals. They were very sophisticated with successful agriculture and made beautiful items such as carved stone axes used for barter."

The technique used to find



the hidden rings makes use of the fact that any disturbance of soil tends to affect its magnetism. Until a few years ago, magnetometers sensitive enough to detect the anomalies at Stanton Drew did not exist. The existence of the post holes could have been found by conventional digging, but the site has not been dug in recent times.

The ring shows no evidence

of having been orientated with any astronomical purpose in mind. Nor is it known whether the uprights were carved or decorated, although Dr Wainwright believes that they were. "It is very hard to think of a structure like this with nine concentric circles not being carved in some way," he said.

He suspects that the carving might have been like that on contemporary pottery, which

carries geometrical patterns and spiral motifs. "The patterns are quite stylised and relate to tribal territories, we believe. It would be very surprising if these motifs were not replicated on the timber uprights."

A complete excavation of the site is not planned, as it would be unlikely to provide much more information than the magnetic survey. A small dig may be conducted to confirm that the rings are indeed the remains of post holes, although there is little doubt that they are.

Sir Jocelyn Stevens, Chairman of English Heritage, said that Britain was apparently the only place in the ancient world where these extraordinary temples were built. "They were expressing their power by building these great rings, just as we are celebrating the Millennium by building a huge dome. This is clearly a very British habit, and it is 5,000 years old."

## Bride eager to dance had Devil to pay

By Simon de Bruxelles

THE ancient mysteries of Stanton Drew are no secret to the landlord of the Druid's Arms, John Newcombe. He has three of the standing stones in his beer garden, the largest 12ft high.

"The local legend is that they were the guests at a wedding party who were turned to stone," he said. "The ones in my back garden are the bride, bridegroom and best man."

Every midsummer's eve, he says, a small group of strangely dressed people arrive to dance around the stones. "I don't know who they are but they aren't druids," he said. "They wear little caps and hats and carry things like Devil's forks."

"As long as they don't scare away my regulars I don't care what they get up to. They have these little candles like night-lights and I go out in the morning to clear them away but they never make any other mess."

According to the Robin Bush, the Somerset historian and member of Channel 4's *Time Team*, Stanton Drew means "Drew's town near the stones" and is mentioned in the Domes-

day Book. One of the stones has a hole in it and was once much larger. Mr Bush said: "It was called Hautville's Quoit, after a medieval lord. Sir John Hautville, whose tomb is in a church near by."

"The local legend was that he had thrown it there. It once stood in the middle of the road but over the years has been chipped away at, partly to get stone to put on the road itself."

The stones at Stanton Drew were considered to be the third most important prehistoric monument in Wessex after Stonehenge and Avebury. The 17th-century antiquary John Aubrey recorded the legend of the wedding party in 1664.

According to Aubrey, the fiddler went home before midnight to avoid playing on the Sabbath and the bride announced that she would 'go to hell for another fiddler'. Another fiddler appeared and played until dawn, when he revealed himself as the Devil and turned the assembled throng to stone.

No one believes that story any longer. Except, of course, on midsummer's eve.

### BUILDERS OF THE OAK TREE MARVEL BEAT GREAT PYRAMID BY FOUR CENTURIES

The Great Pyramid at Giza, right, was not even on the drawing board when the wooden henge at Stanton Drew was built. The building of the henge dates from about 3000 BC, while Cheops did not build the pyramid until 2590 BC. The builders of the henge were near-contemporaries of those who invented the wheel in Mesopotamia, and

the sail in Egypt, both in about 3500 BC. Bronze casting and the plough were known in the Middle East, but not in Britain. Writing had just been invented in Sumer. Stonehenge itself existed, but like the temple at Stanton Drew it was made of wood, not stone. The Stonehenge we know today did not assume its final form until 2000 BC.

The henge was built in much the same way as Stonehenge. Pits up to four metres deep were dug, and ramps arranged alongside them. The oak pillars were dragged and pushed until they overbalanced into the pits, and were then pulled upright. The wooden henges would have lasted for 300 to 400 years before needing replacement.



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## Blunkett launches skills taskforce

BY CHRISTINE BUCKLEY

DAVID BLUNKETT, the education and employment secretary, yesterday launched a taskforce that will harness government resources, employers and unions to tackle skill shortages in employment.

Mr Blunkett said that £150,000 would be spent on forging better vocational links between industry and universities and there would be steps to make school leavers better prepared for work.

The move follows growing concern over skill shortages among workers in a variety of industries. John Cridland, the CBI's head of human resources, said: "Skill shortages are certainly increasing as unemployment continues to fall. In the past this has led to constraints on business growth and to wage inflation. It is important, therefore, to avoid such constraints over the coming months."

# Hague warns of EMU risk to millions of jobs

Businesses are told they could be trapped in a burning building with no exits. Jill Sherman reports

WILLIAM HAGUE launched a robust attack on plans for monetary union yesterday, warning that millions of jobs could be lost if Britain joined.

The Tory leader used his speech at the Confederation of British Industry (CBI) conference to spell out what he said were the dangers of early entry into a European single currency and to justify his party's decision to rule out supporting British membership for ten years.

The address, in stark contrast to Gordon Brown's dose of Euro-enthusiasm two hours earlier, portrayed a nightmare scenario similar to the debacle of Britain's exit from the exchange-rate mechanism (ERM) in 1992. Millions of people up and down the country, Mr Hague said, then paid the highest price of all in lost jobs, repossessed homes and bankrupt small businesses. The same could happen now, he suggested. "Getting something like this wrong is not just an academic error or an argument at conference. It affects the jobs of millions. Unlike the ERM, the single

currency is for all time. British business could find itself trapped in a burning building with no exits."

Tomorrow Mr Hague faces a showdown with his own party over the ratification of the Amsterdam Treaty, which he will insist on opposing with a three-line whip.

Yesterday, in a speech which earned him a surprisingly warm reception, he made clear that he was determined to stick to the tough position on EMU agreed with the Shadow Cabinet three weeks ago. "The truth is that the supporters of British membership of a single currency tend to fall back on one central argument that overshadows all others. They say: 'It's going to happen and that we can't possibly be left out.' It is the argument used by every lemming throughout the cen-

turies and it does not bear close scrutiny."

But in a veiled reference to trouble makers in his own party, such as Michael Heseltine and Kenneth Clarke, he said he intended to ensure that the debate stopped being an argument about personalities, about who was on what side, "and start becoming an argument about what the actual issues are."

Mr Hague based his argument on the economic rather than political consequences of EMU. "Targeting the exchange rate means prices and labour costs must be able to go down as well as up. To begin with, it looks easy. The stockmarket booms. Property companies make a fortune. The high street is packed. But the Government cannot raise interest rates to stop the boom overheating. So the boom has

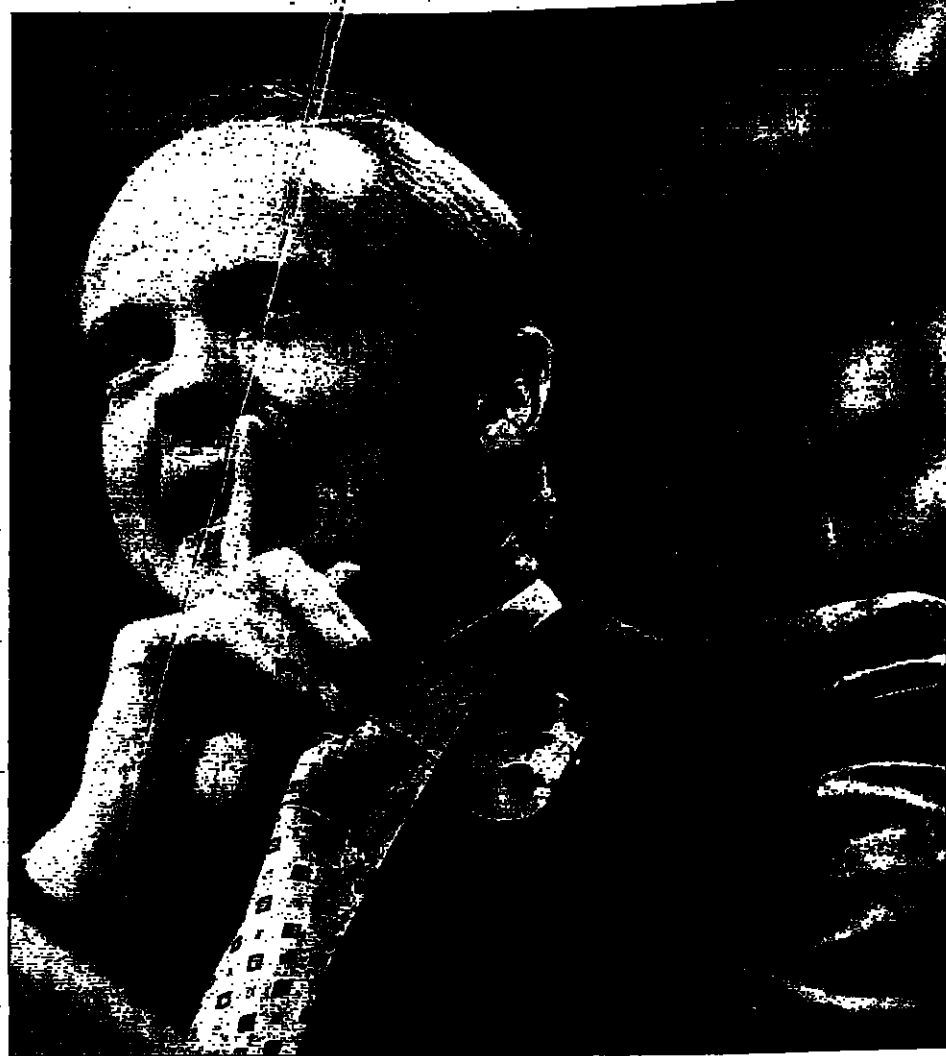
to be followed by a savage deflation to get prices back into line."

It would mean asking people to take a cut in wages and could mean higher corporation tax. "If the nightmare of our experience in the ERM teaches us anything it is not to steer by the siren voices of a supposed consensus, but to exercise the independent judgment of a cool head."

The single currency carried fundamental risks, he said. "For this reason the Conservative Party believes it is a mistake to commit this country in principle to joining a single currency. We oppose Britain joining a single currency during the lifetime of this Parliament and we intend to campaign against British membership of the single currency at the next election."

It was a clear, unambiguous position, he said. "It is also a pragmatic position based on what we believe to be in the vital interests of British companies and the British people."

Anatole Kaletsky, page 22  
Leading article, page 23



William Hague, who was given a surprisingly warm reception by the CBI yesterday

## Brown plans to encourage early use of the euro

BY JILL SHERMAN, CHIEF POLITICAL CORRESPONDENT

THE Government is to bring forward legal measures to help British business to use the single currency from its launch in 1999. Encouraging companies to use the euro well before Britain joins monetary union will be seen by Eurosceptics as EMU entry by the back door.

Gordon Brown, the Chancellor, disclosed yesterday that he is considering new laws to make it easier for companies to issue shares in euros. Firms will also be able to hold euro bank accounts and pay taxes in the currency from 1999.

While Treasury aides denied that the euro would be shadowing the pound, the Chancellor went much further than his statement to the Commons two weeks ago, when he underlined the need to prepare for the euro. He made a pro-European speech designed to reassure the CBI that business need not lose out from Britain's decision to delay entry.

The Chancellor has been criticised by some businesses for ruling out Britain's entry into economic monetary union before the next election. But yesterday he disclosed that the committee preparing for the changeover to the euro will

consider amending the Companies Act to make it easier for British firms to issue shares in euros and to convert existing shares into euros.

Following the advisory group's advice, we will look at any other legislative steps the Government should take to make the euro easier for firms to use," Mr Brown said.

From 1999, the British banking system would be able to process payments in euros. "This should make it much easier and cheaper for banks to offer euro services to their UK customers," he said.

The Government would also work with banks to introduce an official seal of approval "so that firms and individuals could identify banks which offered reliable information about the euro, and allow customers to bank in euros without paying high charges".

Ministers would also work with accountancy firms, trade associations and others to make sure that they were provided with consistent information. Mr Brown announced that he had sent an information pack to the top 1000 British firms with details of business preparations for the euro.

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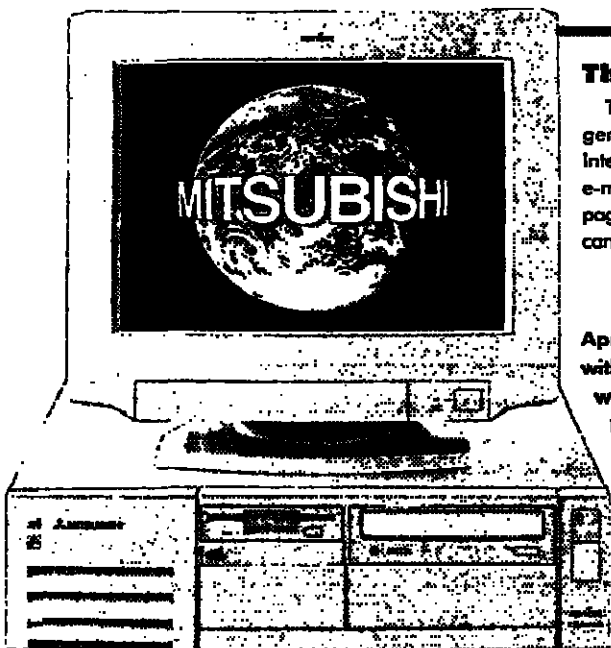
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# Businessmen in single currency showdown

## Critics round on enthusiasts promoting a 'golden scenario'

By Philip Bassett and James Landale

BUSINESS leaders clashed yesterday on whether Britain should join the European single currency.

Barclays Bank warned the Confederation of British Industry's annual conference in Birmingham that Britain's participation would cut wages and jobs, while BMW said that to stay out would jeopardise future inward investment.

Sir Stanley Kalms, chairman of Dixons, attacked the single currency and accused the CBI of being in no position to speak for British business on the matter. He said that joining economic and monetary union would be the ultimate leap in the dark.

Sir Stanley, who yesterday led a group of businessmen writing to *The Times* to criticise the CBI for its declared support for the single currency, said that the "CBI hierarchy" was unrepresentative. He condemned the membership polling on EMU, saying: "I reject outright its methodology and conclusions."

He went on: "The CBI leadership has claimed the high ground in the argument to join EMU but it has failed to present the full picture. All we have is the golden scenario. The pro arguments are applauded, the cons are minimised, the debate is rarefied. On this subject the CBI has not earned the right to speak for British business. We are not at one."

Sir Stanley said that the single currency represented a huge stride towards a federal superstate. Increased regulation would impose further burdens on business, and EMU would hold back plans to enlarge the EU. "Under the present ill-thought-out criteria, the whole project may well prove unworkable. The single currency represents the ultimate leap in the dark."

Calling on business to "re-

sist the pressure to join the federalist bandwagon", he said that a single currency would be "irreversible, irrevocable and inalienable."

Martin Taylor, chief executive of Barclays Bank, said that the single currency would lead to wage cuts and higher unemployment because without the buffer of exchange-rate fluctuations only labour markets would be able to take the consequences of economic adjustments. Insisting that he was not a Eurosceptic, he said: "I have been a Europhile all my life. But I am an EMU-sceptic. The most important thing is that EMU must not fail. It must be a success. It's a wonderful project, but it has

not merely because it is slightly inconvenient to stay out."

Mr Taylor said it was clear that only political integration could make monetary union work. It would require an increase in the EU budget and would not work without a federal taxation system.

In his CBI presidential speech, Sir Colin Marshall, the British Airways chairman, said that the CBI and the Government now stood "more or less shoulder-to-shoulder on the EMU question". He said he was disappointed at some critics of the CBI's position on monetary union. "What I object to is purposefully distorted argument which claims that the CBI is not truly representative of British business, as a whole, but merely serves the purpose of the major corporations and multinationals." He dismissed as ludicrous the suggestion that the CBI was motivated by political bias.

Niall Fitzgerald, Unilever chairman, said that Britain was in danger of falling into the same trap on EMU as it had done with the creation of the Common Market. Attacking the "superior, sceptical detachment" that had dominated British thinking on Europe for 50 years, he said: "Too many people in Britain have spent the last few years deluding themselves. Some hoping that, if we all shut our eyes tightly enough, the single currency would somehow go away. Others arrogantly assuming that, if Britain didn't like the idea, it just wouldn't happen."

Thankfully, we are rapidly being shaken out of our comfortable illusions. Monetary union is going to happen, on time, and with a majority — and maybe the vast majority — of EU countries as members."

Monetary union would bring the benefits of open

**6 Let's trade with Europe, but let's not share the same bank account**

fundamental flaws at the moment and needs tremendous reforms to make it work."

The fundamental difficulty was that while a single currency was obviously attractive, the single monetary policy it implied was harder to understand and potentially damaging. Britain faced making one of two mistakes — dragging its feet and falling behind the European endeavour, as it had done before, or linking sterling to the Mark, which had been a "complete disaster" twice in the past 12 years.

The CBI's own record on exchange-rate advice had been "lamentable", and of the single currency he said: "We should join it and only if, when and only when, it is in our clear interest to do so —



Wim Duisenberg of the European Monetary Institute, and (top right) Bernd Pischetsrieder of BMW encouraged Britain to join, but Sir Stanley Kalms of Dixons (centre right) and Martin Taylor of Barclays sounded strong warnings



competition, price transparency, keep inflation low, create a larger and more liquid capital market and be a vital step in building European competitiveness on a global scale.

He hit back at critics of the CBI such as William Hague and Sir Stanley, dismissing talk of "federal superstates, leaps in the dark and lemmings" as colourful hyperbole, and asking business to look at the hard facts of the economic argument about EMU.

Bernd Pischetsrieder, chairman of BMW, which owns Rover, said that Britain's

failure to take part in EMU might threaten investment from overseas. "The existing investment will be secure. But any new inward investment from us and other companies is at risk."

Urging Britain to join, he made it clear that from January 1, 1999, BMW would start operating in euros, offering its trading partners the opportunity to do business in the currency. From 2002 BMW would operate in euros alone.

EMU would be a "big bang" for Britain, he conceded, but he added: "It could be a big crash, rather than a big bang,

if Britain joins too late."

Wim Duisenberg, president of the European Monetary Institute, welcomed the Government's support for EMU in principle, but said: "It is unfortunate that such an important country as the United Kingdom will not be among the founding fathers of the euro."

While the single currency debate in Britain often focused on "psychological and political aspects such as the so-called transfer of sovereignty", he said the Chancellor was right to make clear that EMU also needed to be assessed on

economic grounds. In that light, it was "essential" that UK economic policies remained aimed at further economic convergence in Europe.

Digby Jones, senior partner at Edge and Ellison and vice-chairman of the West Midlands CBI, called for any decision on EMU to be made in the interests of business. "I hope that for once we don't do the usual very British thing and kick and scream at the sidelines and then when it is suitable for everyone in the world but the British, in we go."

Edward Lamb-Stoate,

partner at Grinley and chairman of the Avon CBI expressed caution. "Do we really want to hitch our wagons to one of the slowest economies in the world? Let's see if Europe makes a success of the euro and then let's see if we should join. Let's trade with the rest of the world and Europe but let's not share the same bank account."

Anthony Cowgill, director of British Management Data Foundation, said: "The CBI has been wrong regularly on all major issues which have faced this country in recent years and it is wrong again now. The basic figures of the CBI survey don't reflect the serious concerns felt by many and are seriously misleading." The CBI, he said, was letting the economic argument for entry cloud the risks and uncertainty. "The gut feeling of the country against giving up our democratic control of the country is right and should be supported," he said.

Colin Perry, chairman of LITE Scientific Ltd, and vice-chairman of the CBI's small businesses council, said: "The overwhelming opinion of small and medium sized businesses is to join EMU at the earliest practical date."

Jeremy Woolridge, managing director of BE Wedge Holdings Ltd, said he opposed Britain's membership of EMU. "Personally I would rather accept the view of the Spice Girls, who I believe are on record of being against a single currency. At least they weren't wrong on joining the ERM."

David Lovatt, chairman of Acme Marls Ltd, told Gordon Brown that his company was being damaged by the strength of sterling. "We are on a rollercoaster [to EMU] and I have to accept it. I would prefer us not to wait for 4 or 5 years before joining but to go in in the first band. I believe if we don't do that, we are going to find our pound will be highly valued and that damages me and my company."

Bill Good, managing director of Sterling Tubes, said that the Chancellor had a responsibility to prevent British industry feeling the "pain" from an overvalued pound. "We are being seriously undermined by the high level of the pound."

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# The Louise Woodward judgment

A full text of Judge Hiller Zobel's

16-page ruling, based on his

"intensive, cool, calm reflection",

which was sent to worldwide news

agencies and posted on the Internet

THE law, John Adams told a Massachusetts jury while defending British citizens on trial for murder, is inflexible, inexorable, and deaf inexorable to the cries of the defendant, "deaf as an adder to the clamours of the populace". His words ring true, 227 years later.

Elected officials may consider popular urging and sway to public opinion polls. Judges must follow their oaths and do their duty, heedless of editorials, letters, telegrams, picketers, threats, petitions, panellists and talk shows. In this country, we do not administer justice by plebiscite.

A judge, in short, is a public servant who must follow his conscience, whether or not he counters the manifest wishes of those he serves; whether or not his decision seems a surrender to the prevalent demands.

## 1. Pertinent evidence

Reduced to its appropriately bare essentials, this case turns on diametrically opposed theories of ultimate causation. Both sides agreed that Matthew Eappen died from massive intra-cranial bleeding. The prosecution's experts attributed the haemorrhage to a combination of extraordinarily violent shaking and overpowering contact with a hard flat surface, all occurring some time on February 4, 1997; the defence experts ascribed the haemorrhage to a "re-bleed" in a clot formed about three weeks earlier following a hitherto undetected injury.

The Government buttressed the scientific evidence with testimony that the baby had been normal earlier in the day; that defendant had been the only adult in his presence throughout; and that she had admitted to police that she had been "a little rough" with him when putting him on a bed, bathing him, and placing him on the bathroom floor.

The defence relied for rejoinder entirely on the testimony of defendant herself, who denied handling the child in an inappropriately vigorous manner, although she admitted that perhaps she had "not been as gentle as I might have been" with Matthew.

Thus stripped of the jargon-filled overlay with which both sides filled the record, the issue for the jury's determination was simply: Did the Government prove beyond a reasonable doubt that Matthew Eappen died because defendant shook him and battered him against an unyielding object? Put another way: Did the defence evidence create a reasonable doubt that the death resulted from some other cause?

## 2. Motion for a required finding of not guilty

It is essential to understand that at no time was Defendant obliged to prove anything. The jurors were never required to choose between competing explanations. If the Government's theory failed to win them over, beyond a reasonable doubt, their inquiry was complete: the defence's inability (if inability it was) to explain Matthew's injuries and their cause would make no difference.

The law never, in any way, demanded of Defendant that she provide a jury-satisfying answer to any question, whether medical (how old was the fatal haemorrhage?) or physical (what had Defendant done to Matthew?). Thus a verdict of guilty could not properly result from the jury's merely rejecting the defence's physiological explanation as inadequate or Defendant's version of the events as implausible.

The jury could return a guilty verdict only if, in addition to an adverse assessment of the defence position, the jurors concluded, on all the evidence, that the prosecution's version was true, beyond a reasonable doubt.

To escape reasonable doubt in the present case, a jury would have to disbelieve all the evidence contradicting the Government's hypothesis. The jury would have to discredit, that is, refuse to accept, the combined conclusions of the defence witnesses.

Given the strength of the defence evidence, could the jury lawfully reject it? Most certainly. As judges always tell juries — as this judge told this jury — evidence is evidence if the jurors believe it; what they choose not to believe is not evidence.

Although application of this principle would mean that the jury returned, as not worthy of belief, professional opinions emanating from a corps of highly-qualified, authoritative experts, such dismissal is unquestionably within the jury's province.

Now for purposes of deciding Defendant's motion for a required finding of not guilty, the law requires our assuming that the jury did indeed discard every scrap of evidence (testimonial or visual, direct or circumstantial) tending to cast doubt on the prosecution's

theory. Measuring the evidence by this strict standard, my duty inexorably mandates my denying the motion in its entirety.

Whatever my own views of the evidence might or might not be, I cannot, in deciding this motion, place any of them upon the scales.

## 3. Motion for a new trial

A judge may not grant a new trial merely because had he been the fact-finder, the case would have come out differently. In stating this truism, of course I do not suggest any disagreement with the verdict as delivered. In any event, the offence charged did not allow a test of the hypothesis, since the defendant in an indictment for first-degree murder cannot elect a jury-less trial.

The verdict, it seems to me, was not against the weight of the evidence. In reaching this conclusion, I have considered each of Defendant's specific contentions:

a. The Government certainly should have discovered the so-called "skull-fracture photographs" earlier and given them to the defence well before the start of trial. The late disclosure, although inexcusable, did not prevent effective presentation of the evidence and its significance; that is the legal test. In this connection, it is worth noting that because the court denied the Commonwealth's proffer of rebuttal evidence, the recalled defence witness, Dr Michael Baden, offered the last word on the photographs and the conclusions to be drawn from them. Moreover, the defence was afforded ample opportunity to exploit the entire matter in closing argument.

b. Whether a recent fracture would have demonstrated soft tissue swelling was a matter on which the experts disagreed; that does not equate with the right to a new trial. c. The "serum" evidence does not mandate a new trial. Absence of a contemporaneous transcript of Dr Jan Leestma's testimony — a normal occurrence in the Massachusetts Superior Court, and not to be held against the faithful, dedicated court reporter — necessitated either not responding to the jury's requests, or interrupting deliberations of a sequestered jury for the time necessary to transcribe the testimony (which had lasted for parts of two days).

The alternative, preparing a transcript of only selected portions, was not possible here, where counsel could not agree on the selections. Even if they had agreed, the delay would have held the jury idle an unacceptably long time.

Thus in accordance with the normal practice in Superior Court trials, the transcript was not read. Unless one or both of the parties make arrangements for daily transcripts, none is available. Here, defence had caused the transcription of Dr Joseph Madsen's testimony, but not Dr Leestma's. When the jury asked for the former, no reason existed why it should not be read; Defendant, in fact, agreed that the jury should receive it. The lack of a Leestma transcript was, from the defence standpoint, unfortunate.

However, here again, nothing prevented counsel, in final argument, from putting to the jurors his own recollection and urging them to draw the appropriate conclusion.

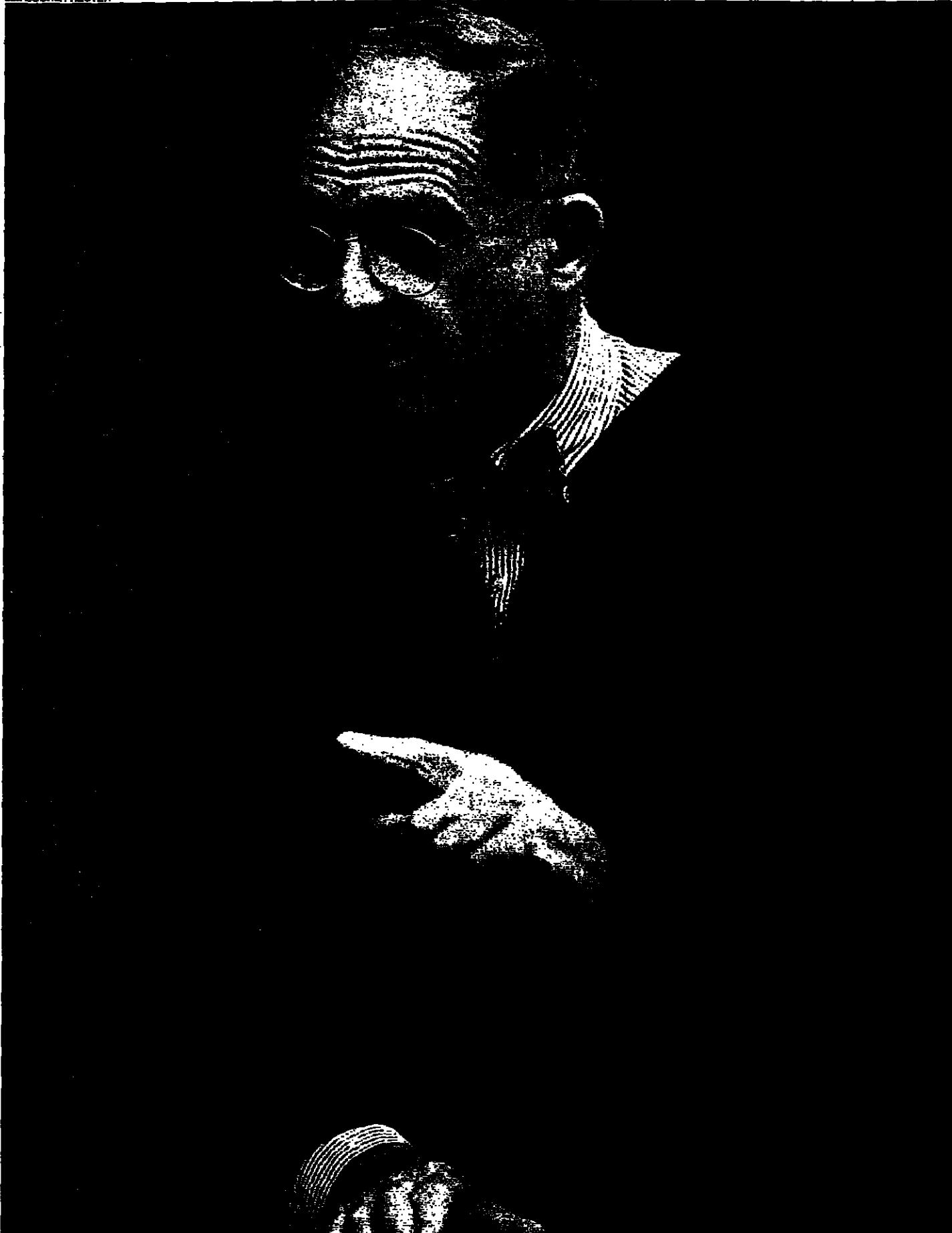
d. Dr Leestma's neuropathology findings came before the jury in full, illustrated detail. Absence of the dura was disputed at trial; the jury was entitled to believe that nothing substantial was gone. In this, the court's previous contrary findings, made in a different proceeding and context, do not control. e. Dr Alisa Ocan's testimony may have tended to prove the age of the haematomas; it did not, as Defendant argues, prove the point.

f. Similarly, the ophthalmological evidence as to the state of the retina is at best (from the defence standpoint) inconclusive. g. Contrary to Defendant's contentions, the court plainly told the jury to confine its inquiry to the events of February 4 and told the jury that the Commonwealth was obliged to prove that Defendant acted intentionally (albeit that she lacked intent to kill).

It is settled law that under the definition of "malice" which the Commonwealth pursued here, a person can be guilty of second-degree murder even absent an intent to kill or even an intent to harm, so long as the Commonwealth proves: (a) an intentional act (b) which in circumstances known to the defendant (c) created what a reasonably prudent person would have known was (according to common experience) a plain and strong likelihood that death would result.

h. Defendant incorrectly states that criminal liability for homicide depends on proof that brain death preceded withdrawal of life support. The test in this Commonwealth is not the order of the events, but whether or not Defen-

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Judge Zobel: "The decision is guided by my reason, my conscience and the established precedents and principles of justice."

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## Commonwealth v Woodward

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dan's act was the direct cause of Matthew Eappen's death. On that, the Court's instructions to the jury were explicit.

i. The test for malice (in the circumstances here) is whether, under the circumstances known to Defendant, a reasonable person would have known that her intentional act created a substantial risk of death to Matthew Eappen.

This test has long been the rule in Massachusetts. As Chief Justice Oliver Wendell Holmes noted a little more than a century ago, "it is possible to commit murder without any actual intent to kill or to do grievous bodily harm". The only intent the Government need prove is the intent to perform the act, not any particular intent as to the act's consequences.

j. The effect of pre-trial publicity on the jurors was the subject of a searching, prophylactic empanelment procedure, complete with special questionnaires and individual interrogation of prospective jurors. All the jurors seated satisfied the court and counsel that neither the publicity nor any other cause had affected their individual ability to decide the case entirely on the evidence. The publicity gives no cause for a new trial.

k. The evidence in this case sufficed, however thinly, to support an indictment alleging extreme cruelty and atrocity. Whether obtaining the indictment in that form was wise or compassionate is not for the court to say at this time. Unlike Commonwealth v. Gagliardi, where the prosecutor, during the trial, conceded a lack of evidence to support a conviction for first-degree murder, the prosecu-

tion consistently urged first-degree murder, and the medical evidence here permitted that stance.

l. The government's closing argument was tough, but eminently fair. Indeed, throughout the trial the prosecution team — like the defence — acted in accordance with the highest professional standards.

A judge may grant a new trial "for any... reason that justice may require", which blends with rule 25(b)(2), see Reporter's Notes. Under all the circumstances, I do not think that justice requires a new trial.

4. Motion to Reduce Verdict Even though the court declines to allow a new trial, a very serious issue remains as to the justice of the second-degree murder verdict the trial produced. The inquiry here is quite different from what has gone before.

In seeking a directed acquittal or a new trial, Defendant argued that the evidence as to causation so strongly raised a reasonable doubt as to liability for Matthew Eappen's death that the conviction could not stand. Now Defendant urges a reduced assessment of her culpability, relying upon Massachusetts Rule of Criminal Procedure 25(b)(2): "If a verdict of guilty is returned, the judge may on motion... order the entry of a finding of guilty of any offence included in the offence charged in the indictment."

The test here is no longer narrowly legal. The judge, formerly only an umpire enforcing the rules, now must determine whether, under the special circumstances of this case, justice requires lower-

ing the level of guilt from murder to manslaughter (or even to battery). The facts, as well as the law, are open to consideration.

In deciding this issue, the judge must, above all, use the power sparingly, and with restraint, taking care not to act arbitrarily or unreasonably. The judge does not sit as a second jury or even as a "thirteenth juror": he should not second-guess the jury. Nonetheless, he is entitled to consider testimony that the jury may have disbelieved, including such of Defendant's own testimony as he finds credible.

Because Rule 25(b)(2) is a kind of safety valve, a means of rectifying disproportionate verdicts, the test is not whether the evidence could support a verdict of second-degree murder, but whether a lesser verdict more comports with justice.

After considering the law and the evidence of the whole case "broadly", to determine whether "there was any miscarriage of justice", the judge's duty requires weighing "the fundamental fairness of the result": deciding whether a reduced verdict would be more consonant with justice, and determining whether justice "will be more nearly achieved" by a reduction, rather than by allowing the jury's verdict to stand. In short, the court may reduce the level of the conviction, for any reason that justice may require. This in turn means that the judge must decide whether, failing to reduce the verdict raises a substantial risk that justice has miscarried.

The scope of review may be even broader than requiring Defendant to show "grave prejudice" or "sub-

stantial likelihood" that a miscarriage of justice has occurred. Rule 25(b)(2) applies ameliorative justice on a case-by-case basis. Its use — designedly rare — thus does not erode established criminal-law principles.

The court may not, however, take into account the feelings of those the death has affected: the judge must focus entirely on the events of the trial. Thus although as a father and grandfather I particularly recognize and acknowledge the indescribable pain Matthew Eappen's death has caused his parents and grandparents, as a judge I am duty-bound to ignore it. I must look only at the evidence and the Defendant.

Having "considered" the matter carefully, I am firmly convinced that the interests of justice — as Rule 25(b)(2) and the cases construing it have defined them — mandate my reducing the verdict to manslaughter. I do this in accordance with my discretion and my duty.

Viewing the evidence broadly, as I am permitted to do, I believe that the circumstances in which Defendant acted were characterized by confusion, inexperience, frustration, immaturity and some anger, but not malice (in the legal sense) supporting a conviction for second-degree murder. Frustrated by her inability to quiet the crying child, she was "a little rough with him", under circumstances where another, perhaps wiser, person would have sought to restrain the physical impulse. The roughness was sufficient to start (or re-start) a bleeding that escalated fatally.

This sad scenario is, in my

judgment after having heard all the evidence and considered the interests of justice, most fairly characterized as manslaughter, not mandatory-life-sentence murder. I view the evidence as disclosing confusion, fright and bad judgment, rather than rage or malice.

One further point requires attention. Defence counsel vigorously urged, and the Government with equal vigor opposed, my denying the jury an opportunity to consider the verdict of manslaughter, a decision which I based on Commonwealth v. Pagan (1990).

Today the positions are reversed. The defence seeks a reduction to manslaughter; the Government decries allowing Defendant a second opportunity. Had the manslaughter option been available to the jurors, they might well have selected it, not out of compromise, but because that particular verdict accorded with at least one rational view of the evidence, namely:

(1) Matthew did indeed have a pre-existing, resolving (ie. healing) blood clot;

(2) Defendant did handle him "roughly";

(3) the handling (although perhaps not the roughness) was intentional;

(4) the force was, under the circumstances, excessive, and therefore unjustified;

(5) the handling did cause re-bleeding; and

(6) the re-bleeding caused death.

If the jury determined that those were the facts, the combination would amount to an unjustified, intentional, unconsented-to touching (ie. a battery) which resulted in death.

Manslaughter is simply a fatal battery. Defendant's lack of intent to cause death or even injury would have been, legally speaking, irrelevant, as would Defendant's lack of knowledge about Matthew's pre-existing condition.

The principle is simple: If you apply force to another person's body, you take the risk that (unknown to you) your blow, which an ordinary person could physically tolerate, may kill the individual you strike. The victim's hidden physical weakness does not exonerate the perpetrator.

No one, of course, doubts that had the court denied Defendant's request, and had the jury convicted of manslaughter, defence counsel would be arguing that the jurors had unfairly compromised. It seems, then, at first glance unfair that Defendant should be able to escape the consequences of a decision by her experienced lawyers which she personally and publicly approved.

In fact, it is not unfair. I do not criticize counsel's advice and Defendant's adopting it. Given the state of the evidence, it was a rational, appropriate position. Had it succeeded, the defence would be hailed for courage and foresight.

Should Defendant now be permitted to second-guess herself and her lawyers? If one regards the trial of a criminal case as a high-stakes game of chance where losers must accept their losses, the answer is, certainly not.

Massachusetts, however, never has and does not now view justice as a handmaiden to Tyche, the goddess of good fortune.

Of course, chance plays a part in litigation, as it does in every aspect of life. A court, nonetheless, is not a casino. The only institutionalized lottery in a courtroom is the random selection of the jury venire at the beginning of trial and the random choice of alternate jurors at the end.

Rule 25(b)(2) requires a judge to view the entire case with a clear and steady eye. The search is not for justice, but rather for that rare collection of circumstances, the grave failure of justice: if leaving the verdict untouched would preserve a miscarriage of justice, Rule 25(b)(2) makes the judge's duty clear. He must determine the existence of the miscarriage, not its cause.

After intensive, cool, calm reflection, I am morally certain that allowing this defendant on this evidence to remain convicted of second-degree murder would be a miscarriage of justice.

One final word. All of us — the prosecution, the defence, the court, and the public — owe deep gratitude to the jury here, deliberating jurors and alternates alike, who gave of their time and effort and, in the aftermath, their privacy. Neither they nor anyone else should interpret today's decision as in any way a criticism of them. The decision rests, as it should, entirely on my determination, guided by my reason, my conscience, and the established precedents and principles, that the interests of justice are best served here by my exercising my informed discretion and lowering the degree of guilt attributable to Defendant.

## Order

It is ordered that the sentence imposed herein, October 31, 1997, be, and the same hereby is, vacated; and it is further ordered that the verdict of "guilty, murder in the second degree", returned October 30, 1997, be, and the same hereby is, reduced to "guilty, involuntary manslaughter", and it is further ordered that Defendant be brought before this court Monday, November 10, 1997, then and there to receive her sentence on the verdict as reduced.

Hiller B. Zobel  
Associate Justice  
Superior Court  
November 10, 1997



## Mystery of the drug that beats dieting

By IAN MURRAY  
MEDICAL CORRESPONDENT

A DRUG that reduces high cholesterol levels is better than only dieting but scientists do not understand why. The answer may be nothing to do with lowered cholesterol.

Researchers at Glasgow University have found that patients who took the drug Lipostat had 36 per cent fewer heart attacks than those on a controlled diet. Yet the drug reduced cholesterol by only 26 per cent, so the study concludes that it must have healthy side-effects.

The conclusions announced at the American Heart Association conference in Orlando, Florida, challenge the wisdom of advising people to control cholesterol by diet alone.

Chris Packard of the pathological biochemistry department at Glasgow, who led the research, said that the drug might work by reducing the sickness of blood that caused clotting and blocked arteries, or it might strengthen the plaque on the cholesterol that forms inside arteries.

When the plaque ruptures, a large clot forms which blocks the artery and causes a stroke. By toughening the plaque, the drug reduces the risk of heart attacks.

Heart disease costs the NHS £1.6 billion a year, compared with £12 million spent on drugs to reduce cholesterol. The findings suggest that giving the drug to all patients with high levels would be healthier and cheaper.

In Britain 25 per cent of men and 32 per cent of women are considered to be well above safe limits of cholesterol.

## Industry attacked over misleading labels on food

By ROBIN YOUNG

SHOPPERS are being duped by the food industry, according to reports published by a leading retailer and the Consumers' Association yesterday. Research commissioned by the Co-op showed that nine out of ten consumers believed that the law prevented misleading claims but many were hoodwinked by food labels.

The Consumers' Association said food labels were so misleading, inaccurate and incomplete that it was virtually impossible to compare products and make an informed choice. The Co-op said it had drawn up an industry code of practice to purge food labels of misleading names, illustrations and claims.

Sheila McKechnie, director of the association, at a press conference in London yesterday, welcomed that as a first step but called on the food industry to adopt a single code and to end anomalies in nutritional, health and ingredient claims on food labels.

She said: "I am willing to support the Co-op code as a first piece of paper on the table but I am not prepared to spend the next three years in bureaucratic debate about what are scandalous dishonesties. The message to the food industry is: get on with it."

The association cited as a case of poor labelling the fact that Ovaltine Light low fat chocolate malted drink contained 6.6g of fat, while regular Ovaltine contained only 2g, that the Halo Caramel Heaven bar claimed to be 85 per cent fat free when the 15 per cent fat it contained was "a significant amount", that Ross cod fishcakes also contain Alaskan pollock, blue whiting, haddock and hake in the small print of the ingredients list; and that Freshbake traditional pasties are not fresh baked because they are frozen and not traditional because they contain monosodium glutamate and hydrolysed vegetable protein.

Food companies said their labelling complied fully with regulations. The Co-op's research showed that nine-tenths of customers were duped by a product called mince and onions, in which the main ingredient was mechanically recovered chicken. Almost three quarters believed haddock fillets would mean single fish fillets. In fact, the product consisted of cuts from compressed blocks of fish.

Four-fifths of the customers surveyed were misled by photographs on the pack into thinking that a steak pie contained much more meat than it did, while two-thirds were taken in by claims such as "90 per cent fat free", when in fact 10 per cent was well above government guidelines for a "low fat" claim.

A Co-op report, *The Lie of the Label*, says that, as regards fish, there is no standard definition for the terms "fillet" or "steak". It says that in France companies are obliged to tell customers the proportions of key ingredients. Some companies selling products in the United Kingdom and France have two ingredient lists, one in French disclosing the percentages, while another, in English, withholds them.

The word "traditional" is widely abused, the report suggests, and names created to promote the product can dominate the packaging while the legal name, which actually tells customers what they are getting, may be in small print and sometimes on the back.

Pack designs, photographs and words can give a misleading impression of the product by using small plates or retouching photographs. The report warns against "weasel words" such as "traditional", "natural", "premium" and "wholesome" which, it says, sound good but mean little.

The Co-op had seven group discussions and 1,144 interviews (NOP).

## Bananas appeal against fat of land

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

BRITONS are eating more fruit and vegetables, but are still consuming more fat than is good for them, according to the latest official figures.

The 1996 National Food Survey also shows that bananas are Britain's most popular fresh fruit for the second year running. Britons eat about two bananas a week compared with one apple.

"It is good news that people are eating more fruit and vegetables and less fat, but there is still a long way to go," Jeff Rooker, the Food Safety Minister at the Ministry of

Agriculture, said yesterday. The percentage of food energy derived from fat fell slightly to 39.7 per cent, still well above the 35 per cent maximum recommended by the Department of Health.

Fruit consumption rose by 3 per cent and vegetables (other than potatoes) by 4 per cent, according to the survey, which was based on food purchases by 8,000 households.

Expenditure on food and drink consumed at home averaged £16.46 per person per week last year, an increase of 5 per cent on 1995.



Fiona Harnwell wants compensation for her son Philip's "unplanned birth"

## Boots sued over wrong Pill

A MOTHER is suing her local chemist for £10,380 compensation, claiming she conceived her second child after being given the wrong contraceptive pill.

Fiona Harnwell claims her son Philip, born 2½ years ago, was a surprise. She and her partner, Roger Burton, a builder, had planned to wait until their

daughter, Sarah, was settled in at school near their home in Ross-on-Wye, Hereford and Worcester, before having another child.

When she became pregnant she took her packet of pills to her GP. "It was the right packet but the wrong type of Pill inside it. I was shocked at first but we have a beautiful little boy and of

course I love him dearly. However, his arrival did upset our plans."

A spokeswoman for the chemist Boots said: "We have accepted that a dispensing error was made and the wrong contraceptive was supplied to her."

"But we have advised her solicitors that we dispute that this caused her pregnancy."

## Childcare bills drive mothers to give up their jobs

By MARK HENDERSON

BUSINESSES are losing staff and money because British childcare is the dearest in Europe, a report says today.

More than a third of women who gave up a job after a baby said they did so to avoid crippling childcare bills, says the Daycare Trust. The typical cost to employers of an employee leaving was £10,000.

Families often had to spend more on childcare than food and housing, the report says. A family with a pre-school child and another needing care after school and during holidays spent nearly £6,000 a year on childcare, compared with £4,000 to house and feed the entire family.

A single parent with a two-year-old spent 28 per cent of earnings on daycare in Britain, 12 per cent in The Netherlands, 7 per cent in Sweden and nothing in France. Employers, local authorities and central government paid less than 10 per cent of Britain's childcare bill between them and there was one registered place for every nine children under eight years. Elsewhere in Europe, the state and employers were much more generous. The Government is expected to announce a national childcare strategy early next year.

Colene Kelleher, director of the trust, said: "Every time a highly-trained member of staff quits to look after kids, a company loses out." J. Sainsbury budgets £5,000 to replace a section manager and £10,000 to replace a store manager, the report says.

Ms Kelleher said that tax should not be charged on nursery vouchers given by small businesses. "They can't be expected to run a nursery for two children, but could easily buy places at a joint one."

# SSSHH.

A sophisticated diesel should be serene and not heard.



# Mary Shelley's lost work may be published at last

A LEADING British publisher was yesterday hoping to negotiate the rights to a long-lost children's story by Mary Shelley that was recently discovered in Italy.

Pickering & Chatto wants to publish the 1820 tale, written two years after she published *Frankenstein*, within a reprint of its eight-volume *The Novels and Selected Works of Mary Shelley*, which came out last year. The firm, which publishes fine editions of key figures in the Romantic period, has contacted the Italian couple in Tuscany in whose private collection the manuscript was discovered after having lain there unnoticed for more than 150 years.

Its appearance in the archives of Cristina and Andrea Dazzi in the bicentennial year of the author's birth is fortuitous timing.

The story, entitled *Maurice, or The Fisher's Cot* and set on the Devon coast, features 39 pages in Mary Shelley's hand. It is a morality tale about a boy

A British firm is aiming to take up the rights for her "very pretty tale", writes Dalya Alberge

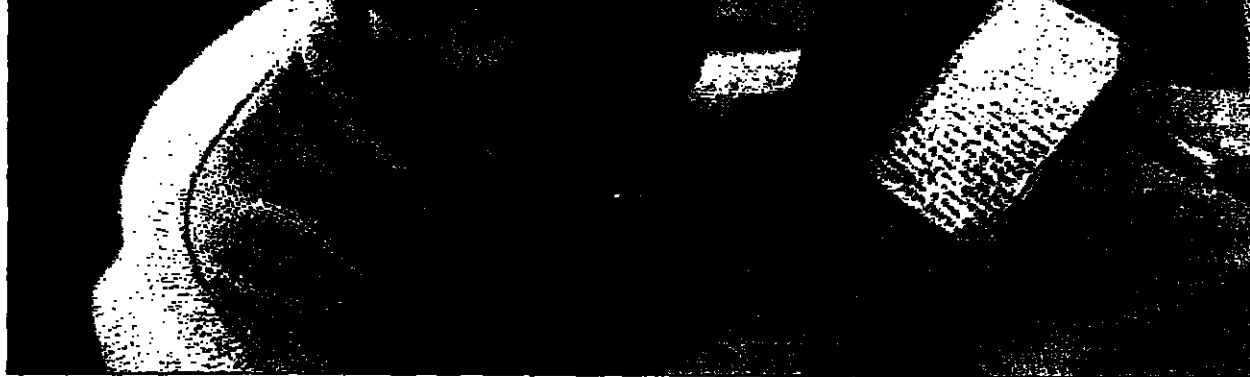
who is stolen from his parents, runs away from his cruel step-father, is adopted by an old fisherman and lives in a cottage on the coast. Lord Rees-Mogg, *The Times* columnist who is chairman of Pickering & Chatto, said yesterday: "I hope we shall be able in some form or another to see that it is published."

The Dazis are descended from Lady Mountcashell, a close friend of Mary and her husband, the poet Percy Bysshe Shelley, during their exile in Italy in the early 19th

century. Mary wrote it for Lady Mountcashell's 11-year-old daughter, Laura, known as Lauretta or Laurette.

Betty T. Bennett, consulting editor to the Pickering & Chatto edition, is in touch with Signora Dazzi and has advised the publishers to acquire the rights. There is no doubt of its authenticity. Scholars knew of the story's existence, both from references in Mary Shelley's journal and through a letter written by her father. In 1821 he wrote: "Your tale I think very pretty... But it would not make more than a shilling book."

Professor Bennett, a distinguished professor of literature at the American University in Washington DC who has made Mary Shelley her life's work, said there was more Mary Shelley material on scholars' missing-lists including part of her journal and her early short story *Hate*. "Letters are showing up all the time," she said. "I just published in the Keats-Shelley



Cristina Dazzi with the manuscript. She and her family have been stunned by the discovery and interest in it

journal a long article with 24 new letters. They surface all the time."

The manuscript has been authenticated by Claire Tomalin, author of *Shelley and His World*. She said: "It's very thrilling, I must say. It is clearly touched by things one recognises as by Shelley. She had divided it into three parts. Although it was written for a child, it is written in a formal

way, like a tiny three-volume novel. Something that is characteristic of stories like *Frankenstein* is that it is told by several narrators. I was particularly struck by the melancholy of it."

Nora Crook, reader in English at Anglia Polytechnic University in Cambridge and editor of the eight-volume Pickering & Chatto edition, said yesterday: "It would be

wonderful if this could be put in the public domain as soon as possible in a scholarly way. This is a very exciting development. It's a work which might tell us a lot about Mary Shelley's development."

Roderick Cavallero, honorary treasurer of the Keats-Shelley Memorial Association, said he would like to get the maximum amount of publicity for the story. "But we

can't do anything without the consent of the Dazzi family. They've been stunned by the interest," he said. Much of their extensive archive was sold to America some years ago. "They didn't know of the existence of this cache of papers. They are worried as to what to do next. She's a bit shell-shocked at the moment, both by the discovery and the publicity."

## NEWS IN BRIEF

### BA makes all flights smoke-free

British Airways is to ban smoking on all flights from March 29 after overwhelming support from customers. BA has more than 7,000 flights each week, 95 per cent of which are non-smoking. The last routes to go non-smoking include Spain, Latin America, China, the Philippines and Bulgaria.

### Suicide blame

The Court of Appeal ruled that the Metropolitan Police failed in its duty of care by letting a suicide risk hang himself in a police cell. The force will challenge the ruling in the Lords.

### Ford fined

Ford was fined £10,000 at Cardiff Crown Court yesterday after a toxic liquid from its Bridgend engine plant seeped into the River Ewenny, an area of special scientific interest, killing thousands of fish.

### Ships scrapped

Three British Navy warships—HMS Kent, HMS Hermione and HMS Jupiter—have been sold for scrap in India for £600,000 after a four-year attempt to sell them to foreign navies failed.

### Appeal to blind

Court clerks have put advertisements in the Royal National Institute for the Blind's magazine after the Lord Chancellor's announcement that he wants to appoint blind or partially sighted magistrates.

### Bedside light

Sunlight shining through a pair of spectacles on a bedside table starts a fire on a duvet, which then gutted the main bedroom of a couple's detached house in Beeston, Nottinghamshire.

## McEwan goes into final round for Whitbread award



McEwan: did not make shortlist for Booker

BY DALYA ALBERGE

WEEKS after Ian McEwan was snubbed by the Booker Prize judges, he has been shortlisted for the rival Whitbread award. The literary world was taken aback that his novel *Enduring Love* failed to make the final Booker list, and regards his new chance as natural justice.

However, publishers questioned whether judges for the Whitbread novel award—who include the writer Fay Weldon—had given him a backhanded compliment in their description of his work as "a great and powerful book with a gripping beginning".

One observer said: "What about the rest of it?" The novel tells of a young drifter who

becomes obsessed with a science journalist and starts stalking him after a chance meeting at the scene of a ballooning accident. Com-

menting on the judges' wording, another observer said: "I think this novel does have shortcomings that should disqualify it from winning. It's

overladen with scientific theory and touches of earnestness. The opening chapter is marvellous. He's often good at beginnings. It contains within

it the germ of a valid criticism."

McEwan faces competition from two other Booker contenders, Jim Crace's rework-

ing of the Lerner Gospel story, *Quarantine*, and Bernard MacLaverty's story of a struggling musician, *Grace Notes*, as well as Geoff Nicholson's *Bleeding London*, and *The Unthinkable*. John Banville's novel of betrayal and adultery which was also seen as a serious Booker omission.

The author of the winning novel receives £2,000. The shortlists for the other categories were also announced yesterday. The winners will be announced on January 6, and the winner of the overall £21,000 prize announced on January 27. The total prize fund stands at £39,000, making it the largest literary prize in Britain. The overall winner receives £21,000.

### FIRST NOVEL AWARD

Anne Haverly ..... *One Day as a Tiger*  
Mick Jackson ..... *The Underground Man*  
Pauline Melville ..... *The Ventriloquist's Tale*  
Ardashir Vakil ..... *Beach Boy*  
Phil Whitaker ..... *Eclipse of the Sun*

### POETRY AWARD

Simon Armitage ..... *CloudCuckooland*  
Ruth Fainlight ..... *Sugar-Paper Blue*  
Selima Hill ..... *Violet*  
Ted Hughes ..... *Tales from Ovid*  
Peter Redgrove ..... *Assembling a Ghost*

### BIOGRAPHY AWARD

Jessica Douglas-Horne ..... *Violet: The Life and Loves of Violet Gordon Woodhouse*  
Graham Robb ..... *Victor Hugo*  
Kate Summerscale ..... *Queen of Whale Cay*  
Stella Tillyard ..... *Citizen Lord*  
Jeany Uglov ..... *Hogarth: A Life and a World*

### CHILDREN'S AWARD

Melvyn Burgess ..... *Junk*  
Sharon Creech ..... *Chasing Redbird*  
Andrew Norris ..... *Aquila*  
Alan Temperley ..... *Harry and the Wrinklies*

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RELAX.



NEWS IN BRIEF

BA makes all flights smoke-free

British Airways is to be smoking on all flights from March 20 after a unanimous vote by the airline's 2,000 staff. The move will mean that 95 per cent of flights are non-smoking. The routes to go non-smoking include Spain, Latin America, China, the Philippines and Bulgaria.

Suicide blame

The Court of Appeal ruled that the Metropolitan Police failed in its duty of care by letting a suicide risk hang himself in a police cell. The court said the force had failed to challenge the ruling in the Lords.

Ford fined

Ford was fined £10,000 after a town council in Cardiff ordered a tree to be cut down from its grounds. The council said the tree was a danger to the public and was in the way of a new road.

Ships scrapped

Three British Navy ships, HMS Kent, HMS Hermione and HMS Plover, have been sold for scrap. The ships were built in 1960 and 1961 and were used for training.

Appeal to blind

Court clerks have put a notice in the London National Institute for the Blind magazine asking for help. The notice says that the institute is looking for people who can help with the magazine.

Bedside light

Sunlight shining on a bedside table in a hotel room has caused a fire. The fire started in the room of a guest who was staying at the hotel. The fire was caused by a cigarette that was left on the table.

# Congress vote ruins Clinton trade dreams

**Bronwen Maddox on the President's humiliation by his own party**

PRESIDENT CLINTON yesterday suffered a devastating setback to his foreign and economic policy when he failed to win authority from Congress to strike international trade deals.

After frantic lobbying in the early hours, the White House reluctantly postponed the Bill to renew the President's trade-negotiating authority, which had already been rescheduled three times over an increasingly tense weekend.

Mr Clinton said: "I'm disappointed. We were very close, but early this morning it became clear to me that we would not get the votes to pass the Bill." He said he was still optimistic that Congress would back him early next year, but Democrats gave a warning that the crucial congressional elections in 1998 would only heighten controversy over the Bill.

The defeat is an unexpected blow for President Clinton, who sees the promotion of free trade as one of his greatest successes. The creation of the World Trade Organisation (WTO), and the North American Free Trade Agreement (Nafta) with Canada and Mexico, are among his main qualifications for a place in the history books.

But the stance of Congress leaves him now as the first President since Gerald Ford not to have "fast-track" authority. That power, which lapsed during Mr Clinton's first term, would allow him to negotiate trade pacts and put them to Congress for a "yes or no" vote without amendment. His plan to extend Nafta to Chile and other Latin American countries, and to press for more access to Japanese and Chinese markets, has been stalled.

The inability of the world's largest economic power to negotiate trade deals may also jeopardise the recently created

WTO, which has been hailed as one of the most important steps in lowering international trade barriers.

President Clinton's failure may scupper the organisation's efforts to open up trade in agriculture, and to put pressure on the European Union to dismantle the common agricultural policy.

Mr Clinton's defeat, which was compared in Washington to the collapse of his attempted healthcare reforms in 1993, was due mainly to opposition from within his own party, and shows the costs of his bid to drag the Democrats towards the political centre-ground. In 72 hours of round-the-clock lobbying, the White House tempted key congress-

men with special deals for Georgia peanuts, Florida oranges and Californian wine, but was unable to capture the dozen or so extra votes needed to win.

Many Democrats believe that the support of the unions, who bitterly oppose most trade pacts, will be more important than that of Mr Clinton in next year's elections. The 750,000-strong United Steelworkers of America yesterday thanked representatives "who stood by America's working families and forced a vote postponement".

Unions blame Nafta and other trade pacts for causing the loss of American jobs to neighbouring countries, and for driving down wages. Mr Clinton, who won vigorous support from many Republicans, yesterday gave a "profound word of thanks" to Newt Gingrich, the Speaker of the House, for his support. He could have had the backing of enough Republicans to carry the vote if he had agreed to cut US funding for international family planning efforts. But he said yesterday that "I believe it would have been wrong to compromise what I believe and to link the two issues".

The White House plans to present the Bill again after the Christmas break. But support may be even more elusive, as congressional Democrats will be anxious to drum up money and support ahead of the November elections, and will be wary of running foul of the unions.

Flight alert: Hillary Clinton was departing yesterday to take off again for a tour of Central Asia, nearly a day after her plane developed engine problems and returned to Andrews Air Force Base. The 25-year-old Boeing 707 jettisoned its fuel and returned to the base minutes after taking off when a sensor falsely indicated an engine fire. (APF)



Clinton: devastating setback to policy



Spider, a bronze 11ft high and 16ft across by French artist Louise Bourgeois, is one of 30 international sculptures on display in Cologne

## Paul Simon musical hits troubled water

FROM TUNKU VARADARAJAN IN NEW YORK

ANTI-CRIME protesters across America have called for a boycott of *The Capeman*, the first musical written for Broadway by Paul Simon.

The show is based on the true story of Salvador Agron, a Puerto Rican who stabbed two white teenagers to death in 1959. In jail, the murderer underwent a striking transformation, devoting his time to reading literature and writing poetry.

Agron, who was 18 when he killed the teenagers, was dubbed "The Capeman" by the New York press, after the black cape he wore during his gangland battles. That year, *West Side Story* had just played on Broadway — a tale of strife between young whites and Puerto Ricans — and the murders made many New Yorkers believe that the "Latino menace" was on their doorsteps. Agron received a

death sentence, which was commuted by Nelson Rockefeller, the state Governor.

Victims' rights groups claim that Mr Simon's musical glorifies a convicted murderer and will cause the families of those killed by Agron to relive the most painful moments of their lives.

Christine Baumbardt, a member of Parents of Murdered Children, which has 100,000 members, said: "Does Simon think that murder is something to sing and dance about? The musical will not only be victimising those families all over again, it will victimise the families of everyone who has ever been murdered."

Leaders of the group have issued a nationwide call on members to converge on the Marquis Theatre in Broadway when the show opens for previews on December 1. There, they will picket theatre-goers, urging them to turn back.

The group says that the families of the victims support the boycott campaign.

Mr Simon has denied that the musical "glorifies" either murder or Agron. In an interview with the *New York Post*, he said: "The play is different from a documentary. The play has a moral question at its core. That question is about the possibility or impossibility of redemption. It looks at how atonement is achieved."

The musician has revealed, however, that he consulted members of Parents with Murdered Children while writing the musical. He said: "I was about to drop the play after doing an interview with a woman from that organisation. At that time, my oldest son [Harper] was 16, and it set me to thinking, what would I do if something happened to him? I understand the feelings of the families better."



Agron: studied literature while in jail for murders

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Antarctica	34p	£1.35	75%	France	14p	28p	50%	Nicaragua	65p	£1.31	50%
Antilles (Dutch)	45p	£1.02	56%	French Guiana	61p	£1.35	55%	Norfolk Islands	67p	£1.35	50%
Antilles (French)	51p	£1.02	50%	French Polynesia	67p	£1.35	50%	Norway	14p	38p	63%
Argentina	65p	£1.31	50%	Germany	14p	28p	50%	Panama	65p	£1.31	50%
Aruba	43p	£1.02	58%	Ghana	65p	£1.31	50%	Papua New Guinea	47p	£1.35	65%
Ascension Island	67p	£1.35	50%	Greenland	58p	£1.35	57%	Poland	19p	39p	51%
Australia	24p	49p	51%	Guadeloupe	51p	£1.02	50%	Romania	39p	79p	51%
Bahamas	29p	78p	62%	Guam	27p	£1.35	80%	Rwanda	67p	£1.35	50%
Bangladesh	66p	£1.33	50%	Guatemala	59p	£1.31	55%	Russia	39p	79p	51%
Belgium	14p	28p	50%	Honduras	65p	£1.31	50%	Saint Pierre	37p	73p	53%
Bermuda	32p	78p	59%	Hungary	19p	39p	51%	Saipan	60p	£1.36	56%
Bolivia	67p	£1.35	50%	India	60p	£1.20	50%	Serbia	40p	80p	50%
Botswana	65p	£1.31	50%	Japan	24p	77p	68%	Solomon Islands	67p	£1.35	50%
Brazil	65p	£1.31	50%	Jordan	63p	£1.26	50%	South Africa	39p	79p	51%
Brunei	54p	£1.08	50%	Korea (South)	54p	£1.08	50%	Sudan	50p	£1.31	62%
Burkina Faso	66p	£1.35	51%	Liberia	58p	£1.32	56%	Swaziland	40p	£1.31	69%
Cape Verde Islands	67p	£1.35	50%	Macao	53p	£1.08	51%	Sweden	14p	28p	50%
China	54p	£1.08	50%	Malawi	60p	£1.31	54%	Taiwan	46p	£1.08	57%
Colombia	67p	£1.35	50%	Malaysia	37p	77p	82%	Tanzania	65p	£1.31	50%
Comoros	65p	£1.31	50%	Maldives	67p	£1.35	50%	Turkey	33p	67p	51%
Cyprus	33p	67p	51%	Marshall Islands	60p	£1.35	55%	Tuvalu	67p	£1.35	50%
Danmark	14p	28p	50%	Martinique	26p	£1.02	74%	Vanuatu	67p	£1.35	50%
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# Netanyahu seeks fast track to peace



Binyamin Netanyahu begins a four-day visit to Britain on Thursday during which he meets Tony Blair and Madeleine Albright, the US Secretary of State

BINYAMIN NETANYAHU, the Israeli Prime Minister, yesterday unveiled plans to seek co-operation from Tony Blair to accelerate the timetable of peace talks with the Palestinians and to launch an international drive to prevent Iran becoming a nuclear power.

Speaking before a sensitive four-day visit to London starting on Thursday, he ruled out any compromise that would permit a Palestinian state and insisted there was nothing in the 1993 peace deal to prevent more Jewish settlements in the West Bank.

Mr Netanyahu pledged to impress upon his British counterpart that negotiations should begin now to reach a final agreement, rather than continuing the interim stages of the 1993 Oslo peace deal with its May 1999 deadline. "I think it is time to cut the Gordian knot, to get to the heart of the matter, a lasting settlement between Israel and the Palestinians," he said.

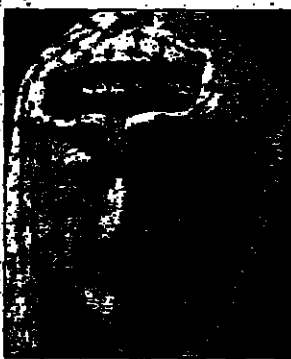
The Israeli leader dodged questions about whether he backed his Defence Minister, Yitzhak Mordechai, who recently voiced support for a conditional pre-emptive strike against Iran's nuclear installations, similar to that launched

Talking to British journalists, Israel's Prime Minister tells Christopher Walker that it is time to bypass the Oslo accord and reach agreement with the Palestinians

against the Iraqi Osirak reactor in 1981. He issued a warning that Britain would come into range of Iranian intercontinental ballistic missiles in a second stage after an attack on Israel, adding: "This will be a problem for all of us."

In a week in which the Knesset is commemorating the second anniversary of the assassination of Yitzhak Rabin, the Prime Minister, he extended an olive branch to the opposition Labour Party, but ruled out a government of national unity. "We are willing, prepared and able to move towards a final settlement with the Palestinians," he said. "I believe that ours is the only Government that can achieve it."

The briefing underlined the importance that Israel is attaching to Mr Netanyahu's first meeting with Mr Blair, and to hopes that Britain will play a more prominent role in Middle East peacemaking when it assumes the European Union presidency on January



Arafat is 'still calling for Israel's destruction'

Mr Netanyahu, 48, appeared unruffled by claims in the *Jewish Chronicle* that British politicians and the Anglo-Jewish community are planning to give him a rough ride over his uncompromising stand on the peace process, and notably his expansion of Jewish settlements. The *Chronicle* disclosed that several leading British Jews had refused invitations to a

London dinner in his honour, some citing dissatisfaction with his policies.

The visit — which includes meetings with Robin Cook, the Foreign Secretary, Gordon Brown, the Chancellor, and William Hague and Paddy Ashdown, the Conservative and Liberal Democrat leaders — has taken on added significance because President Clinton has signalled his disapproval of Mr Netanyahu's refusal to freeze settlements by so far failing to find time to meet him when he flies to the US from Britain.

Mr Netanyahu ridiculed criticism that he was flouting the Oslo accord with the Palestinians by continuing to build settlements, quoting Mr Rabin as saying that the interim peace deal made no reference to such expansion.

He attacked the Palestinians, led by Yasser Arafat, for repeatedly breaching key sections of the peace treaty and reneging on a pledge to remove that part of the Palestine

Liberation Organisation's covenant calling for Israel's destruction. "Israel is being asked to do things that are outside the Oslo accords in exchange for Palestinian compliance with obligations they took under them," he said.

He offered a blueprint for a final settlement that many Palestinians would find unacceptable. It would involve no redrawing of Jerusalem, no return to the 1967 boundaries before Israel conquered the West Bank, the Gaza Strip and the Golan Heights, and no right of return for the millions of Palestinian refugees in the diaspora.

Mr Netanyahu also ruled out a Palestinian state that would have sufficient sovereignty to import powerful weapons to the hills above Tel Aviv, control airspace, or make diplomatic pacts with hostile states such as Iraq.

But the Israeli leader, who on Friday will meet Madeleine Albright, the US Secretary of State, claimed that after last week's renewal of talks near Washington, Israel and the Palestinians were close to completing in accord enabling the Palestinian Authority to operate an airport in the Gaza Strip.

Kissinger says state of Palestine is inevitable

FROM ROSS DUNN IN JERUSALEM



Kissinger urged Israel to take giant strides

HENRY KISSINGER, the former American Secretary of State, said yesterday it is time for Israel to realise that a Palestinian state is inevitable.

His declaration came in a memorial lecture to mark the second anniversary of the assassination of Yitzhak Rabin, the Labour Prime Minister. Dr Kissinger told a packed auditorium in Tel Aviv: "The big decision has to be made. One cannot possibly hope there is a way around it."

He said that while he had advocated a gradual, "step-by-step" process to ending the Arab-Israeli conflict, he now believed it was time for giant strides.

Dr Kissinger emphasised that Israel should now enter into talks with America to ensure it would receive the best terms possible in return for agreeing to the ultimate concession of allowing the establishment of a Palestinian state. He said it was important to act, and not take for granted that the US would continue indefinitely its policy of attempting to help settle disputes in the Middle East.

"Even now in America there is isolationism on the Left, unilateralism on the Right. Thirty per cent of the

country has never been outside it; news reports from the outside world are incomprehensible to them." The objective of a Palestinian state was evident as long ago as 1978, when Menachem Begin, then Israeli Prime Minister, signed the Camp David accords. "I have argued ever since Prime Minister Begin agreed to the concept of autonomy that a Palestinian state was inevitable. Once the concept of autonomy had been granted, nothing would prevent the outside world from elevating the status of that autonomous unit."

Dr Kissinger said Israel was paying a heavy price for not deciding what was the final objective of peace negotiations with the Palestinians. "The first, the essential, requirement for peace is knowing where you want to go. If you don't know the destination, you cannot get there, and each step, each concession, becomes harder."

He added that the international community would not stand for a new war.

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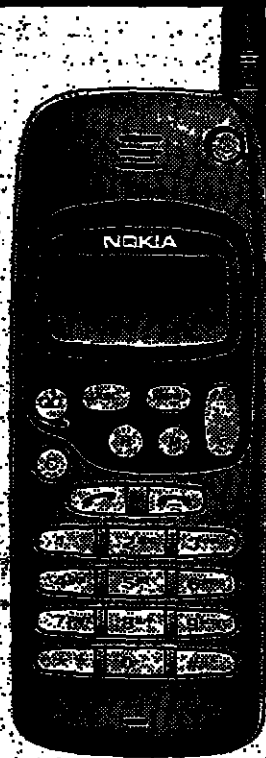
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## Zimbabwe veterans run riot in court

FROM JAN RAATH IN HARARE

ZIMBABWEAN former guerrillas ran riot in the Harare High Court yesterday, forcing a judicial inquiry to abandon hearings into a multimillion-dollar fraud of a fund meant for victims of the country's independence struggle.

About 300 war veterans danced, booed at the judge chairing the inquiry and delivered, from the now deserted bench, obscene denunciations against President Mugabe's Government. Riot police stationed in the court ordered the protesters to leave, but were ignored.

The demonstration appeared to be an attempt to force Judge Godfrey Chidyausiku to wind up the inquiry and prevent it from taking action against Hitler Hunzvi, who heads the War Veterans' Association. Evidence presented last week alleged that he had forged documents so that two of his relatives would receive large sums of money from the Government's War Victims' Compensation Fund.

## Italians put folk hero on course for presidency

FROM RICHARD OWEN IN ROME

ITALY'S anti-corruption campaigner, Antonio Di Pietro, yesterday swept triumphantly into mainstream politics after winning a Senate by-election for the ruling centre-left coalition with an overwhelming majority.

There was immediate speculation that Signor Di Pietro, a former magistrate who inspired and led the 1992 "Clean Hands" campaign, might become Italy's first popularly elected President under proposed constitutional reforms.

Although Signor Di Pietro is a folk hero, his political views have long been enigmatic. He has often described himself as "a man of the Right", and is close to members of the "post-Fascist" Alleanza Nazionale. Yet last year he briefly joined the Government as Minister of Public Works, with the avowed aim of ensuring that



Di Pietro: victorious

public contracts were not corruptly awarded.

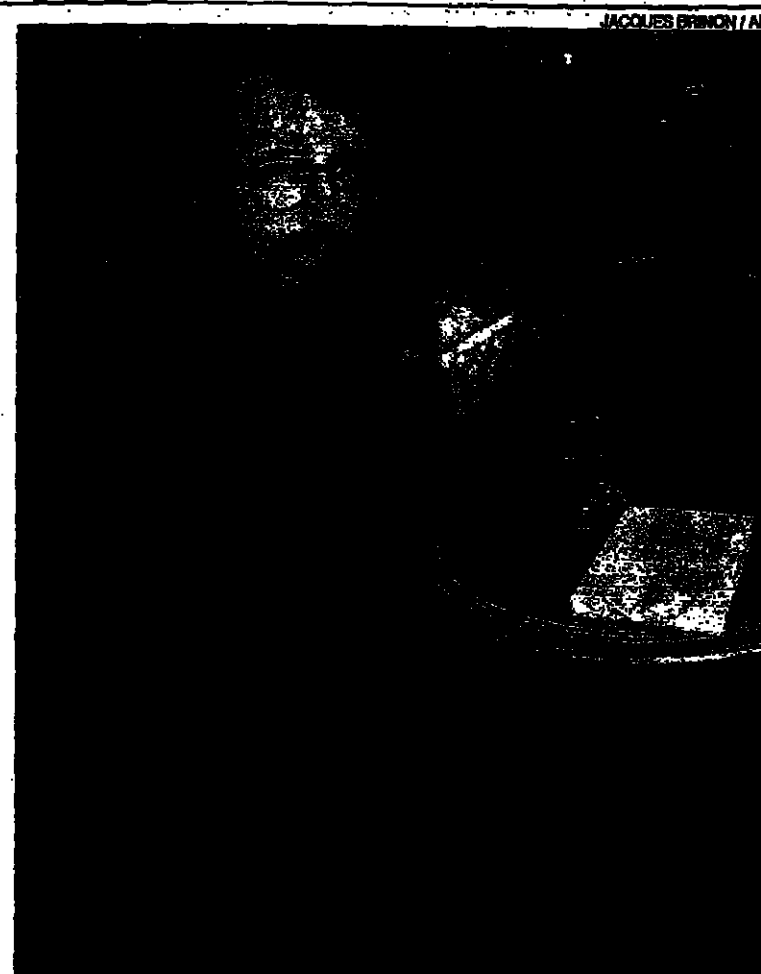
He said yesterday that he was "on the right wing of the Left", and that his aim was to help Romano Prodi, the Prime Minister, to create a broad-based Left which could rid itself of parliamentary dependence on the Communists.

Signor Di Pietro won 68 per cent of the vote in the by-

election for the Senate seat of Mugello, a rural area of central Tuscany. Giuliano Ferrara, the rumbustious candidate of the Centre Right, led by Silvio Berlusconi, the media tycoon — one of the most prominent targets of "Clean Hands" — received only 16 per cent.

Signor Ferrara, a former newspaper editor of Falstaffian girth and outspoken views, served in the short-lived Berlusconi Government of 1994. He admitted his tactic of mocking Signor Di Pietro's "peasant" origins had backfired, as had his assertions that the former magistrate was corrupt. *La Repubblica* said the result was "a triumph for Di Pietro and a resounding defeat for those who conducted a vendetta against him".

Signor Di Pietro, 47, rose from humble southern rural origins to head the unrelenting campaign by anti-corruption magistrates in Milan.



M. Rambaud at the Café de Flore in Paris yesterday. His book was inspired by Balzac's wish to write about the 1809 Battle of Essling.

## Author scoops top prizes with 'Balzac' book

FROM BEN MACINTYRE IN PARIS

AFTER writing 25 books without winning a single major prize, the French author Patrick Rambaud made history yesterday by carrying off two of the most coveted awards in French literature for a novel that Honoré de Balzac always intended to write.

*La Bataille* (The Battle) was yesterday awarded the Prix Goncourt, the country's highest literary honour, less than a week after taking the Grand Prix for fiction from the Académie Française. The prizes have never before been won by the same book — a fictional account of the Napoleonic Battle of Essling.

The double award is also an oblique tribute to Balzac, the 19th-century author who often said he would write about the famously bloody encounter in 1809, but never did. "I am setting out to lay bare all the horrors, all the beauties, of the battlefield," Balzac once wrote in a letter. "He never wrote a line, only a few notes," M. Rambaud said yesterday. "The Battle of Essling" named after an Austrian village outside Vienna, was the first military engagement Napoleon did not win — and the moment his empire began to crumble. When it was fought, Balzac was ten.

M. Rambaud said yesterday: "It was neither a victory nor a defeat. It was carnage. Two ferocious days when nobody wanted to fight, but which left 40,000 bodies on the field. *La Bataille* is a prototype of all battles."

## Accused former aide of Yeltsin flees sick bed

FROM ROSIN LODGE IN MOSCOW

A FORMER close associate of President Yeltsin, being investigated for bribery and corruption, has slipped out of the country, purportedly to seek medical treatment in France.

Doctors in St Petersburg said yesterday that Anatoli Sobchak, the city's former reformist Mayor and a strong ally of Mr Yeltsin during the later part of perestroika, flew to Paris last week, a month after being taken to hospital with heart trouble.

"Sobchak discharged himself from the St Petersburg Military Academy heart surgery clinic on November 7 and has flown to Paris for further treatment at an American hospital," Gennadi Khmbulava, deputy head of the clinic, said yesterday. Mr Sobchak had not wished to cause trouble for medical staff in St Petersburg, because his illness had become a

matter of political speculation. The initial interrogation of Mr Sobchak, 60, had to be cut short last month when he was taken into intensive care after apparently suffering a heart attack during questioning by prosecutors in St Petersburg.

He is accused of accepting bribes — allegedly amounting to tens of thousands of pounds — and using his office as Mayor, which he held from 1991 until last year, to procure flats for friends and relatives. He was also being asked about an incident in 1993, when he was reported to have been detained at Heathrow airport with \$1 million (£500,000) in cash. President Yeltsin served notice earlier

this year, of a crackdown against corruption among government officials, giving a warning that no one would be exempt. But so far no major personalities have been brought to book.

The only two prominent people to have been investigated are Mr Sobchak and Sergei Stankevich, another former Yeltsin ally accused of taking bribes while working as deputy Mayor of Moscow. Mr Stankevich was detained in the summer in Poland, where extradition proceedings are under way.

No formal charges have been laid against Mr Sobchak, a lawyer who rose to prominence in the late 1980s when he and Mr Yeltsin were among the leaders of the main reformist group in the Congress of People's Deputies, the last Soviet parliament under former President Gorbachev. As Mayor of St Petersburg, Mr Sobchak was praised in the West for overseeing a rapid privatisation programme that became a national model. But his popularity swiftly declined amid growing rumours of corruption in his administration. Last year, he was defeated in his bid for re-election by his deputy, Vladimir Yakovlev.

Mr Sobchak has denied all allegations against him and says he is a victim of political persecution. He has also rejected the claim that his heart trouble was faked in order to avoid further questioning. But his latest move is certain to fuel allegations by his critics.

6 In 1993, he was allegedly detained at Heathrow airport with \$1 million

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# Plagued by a mystery illness

**I**n our twenties conversation tends to be about relationships, in our thirties about careers and in our forties about schools, then from our mid-fifties the talk is increasingly about our ailments. We queue up in our doctor's surgery, seeking a cure for our bad backs, tennis elbow or housemaid's knee.

It is little comfort that our sciatica or irritable bowel syndrome is trivial compared with the cancer or multiple sclerosis suffered by others. Pain blots out all other preoccupations. Debility becomes insufferable because, like Samson chained to his pillar, we remember the days of strength and good health.

Just over two years ago, when I was 54, a small lump appeared beneath my collarbone. The consultant to whom my GP referred me thought it might be a tumour. It was removed six days later under local anaesthetic and turned out to be a harmless polyp.

Eight days after the operation, I awoke feeling ill. My limbs and joints ached as if, instead of dining out the night before, I had been beaten black and blue. It was not unlike a form of flu. I did not feel ill enough to stay in bed and carried on as best I could.

The malaise persisted and I went to my GP. A simple blood test revealed nothing unusual. He thought that it was probably a virus, and would eventually go away. But the aching joints and limbs persisted and, as time passed, were joined by other symptoms: a tingling of the nerves, like mild shingles; small spasms in my legs; and waves of tiredness that came over me at odd moments.

I noticed that I was running a mild but persistent fever. I also developed a dry cough, unpleasant for me and exasperating for my family. I worked as best I could, writing for an hour, then dozing for an hour. I often felt slightly livelier in the evening and did not look unwell. Regular doses of ibuprofen anaesthetised the aching of my joints and limbs and the unpleasant tingling of my skin.

In January I went back to the doctor, who sent off a blood sample for a more thorough investigation.

**Novelist Piers Paul Read tells how his ailments had doctors puzzled**

This test revealed a lymphocyte count slightly below the norm. A second test six weeks later showed the count remained low. I was referred to a consultant physician.

When I first saw him he was pessimistic. Searching for the cause of such a vague ailment was like looking for a needle in a haystack. He could discount myalgic encephalomyelitis (ME) because that showed no abnormalities of the blood, but the other possibilities included tuberculosis, toxoplasmosis, lymphoma, Hodgkin's disease and even a recurrence of brucellosis, caused by contaminated cow's milk, from which I had suffered in the 1970s.

Over the next few months I had more blood tests, an X-ray and a scan of my liver and spleen — which showed only that I had a "birth mark" on my liver. The blood tests also had negative results; apparently my antibodies reacted vigorously when fed a TB germ.

Then suddenly my eyesight became bleary. My optician said the pressure in my eyes was above the norm and sent me to the emergency unit of an eye hospital, where it was discovered that the pressure was even higher than the optician had thought: there was a danger of blindness caused by crushing of the optic nerve.

It was perhaps glaucoma, although I had no family history of this hereditary disease, and drops were prescribed to reduce the pressure. Later it was diagnosed as ocular hypertension. I mentioned my other ailment but was assured that there could be no connection.

I began to see myself as Job and tried to show his resignation. But then a lump appeared under my eye. A consultant dermatologist thought it was a tumour. It was removed, and turned out to be harmless.

Suddenly, in the new year, I was told by the consultant physician that the last blood test suggested that I had been infected by the Epstein-Barr virus, otherwise known as mononucleosis or glandular fever. Nothing would cure this. I was referred back to my GP.

It seemed plausible. My son had had glandular fever shortly before my illness had begun. Might I not have breathed in the germ? The only oddity was that I had never had swollen glands. Still, the diagnosis came as a relief. I began to discover other EB sufferers: we exchanged information about alternative cures. My children insisted that I try acupuncture, and for some months I went on a stringent homeopathic regime.

All to no avail. My symptoms persisted and I became resigned to the fact that only time would deliver me from EB. But then, some time last March, a strange red patch of raised skin appeared at the end of my nose. My wife called it a carbuncle. My daughter my "manky" nose. It was unsightly but not painful. My GP thought it might just be a symptom of ageing: he had seen nothing like it before.

In May I was due to go abroad and decided that I would be more presentable if something were done about my carbuncle. Familiar by now with the slow working of the NHS, I made a private appointment with the dermatologist. He said that, while he saw thousands of skin complaints every year, he had never seen anything quite like mine. He took two biopsies and sent them off for analysis.

Five days later he rang to say the inflammation was sarcoid. I rushed to *Black's Medical Dictionary*, where my eye fell on the word "sarcoma" and, for a few hours, I thought I had cancer of the nose. My long-suffering GP referred me

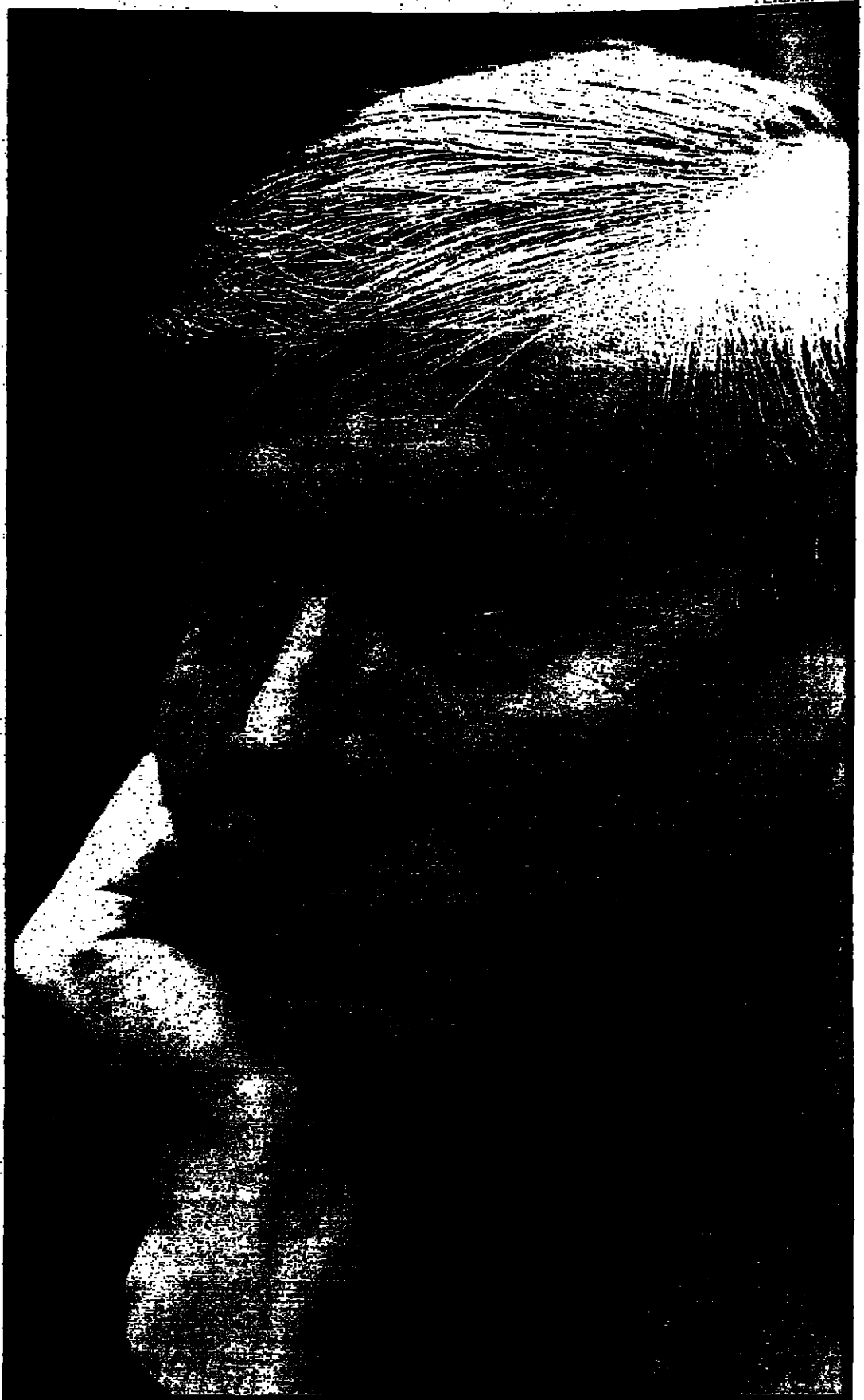
to a specialist in sarcoidosis. I was back within the NHS. After an X-ray and a lung test, I went for a gallium scan: radioactive material was injected into my bloodstream that would cling to any areas of sarcoid involvement.

At the end of August I saw the result: bright patches of radioactivity around my eyes, my salivary glands and the lymph glands in my lungs. It was a classic case of sarcoidosis.

What is sarcoidosis? It is described as a "granulomatous disorder" that can affect various organs, particularly the lungs but also the eyes, and is found mostly in northern Europeans and Afro-Americans. The kind of skin condition apparent on the end of my nose can be associated with other skin involvement, especially on the shins; other symptoms are fever, fatigue, weight loss, a persistent cough and a low lymphocyte count. It is controlled by steroids or immunosuppressant drugs. It can clear, often unnoticed, within a few months or persist over a number of years. Heredity may be a factor but the cause is as yet unknown.

**A** low dose of steroids in the form of Prednisolone now control my condition. The pain has left my limbs and joints. The cough has stopped. The fatigue recurs only occasionally. There have been no notable side-effects from the steroids. I was told to beware of spending money: businesses have been known to go bankrupt in the hands of a managing director on steroids. And I was warned that I might have moods of unusual depression or elation, but the only elation I feel is what one might expect at feeling well after two years of feeling ill.

But unlike Samson, I have not regained enough strength to pull down the pillars of the Philistine's palace. I merely return to the normal condition of a man between 50 and 60 who has spent his life at a desk — overweight, with a bad back and a failing memory; less hypochondriacal, perhaps, and more sympathetic towards the sick, especially those suffering from vague illnesses that go undiagnosed.



Piers Paul Read: "I felt as if instead of dining out the night before, I had been beaten black and blue"

## Why smacking children is bad for their parents

**I**t's one of those situations where none of us can get it right. But it seems to me that the Government has got it particularly wrong if, as seems likely, it enshrines in law the right to smack children.

Paul Boateng, the Under-Secretary for Health, has committed the Government to clarifying the law following the announcement by the European Commission of Human Rights that a child who was severely caned by his

stepfather had suffered an abuse of human rights. The Government will be coming up with a legal formula to differentiate between beating and smacking. And in so doing, because it will be outlawing "degrading" beatings, it will also, by implication, be legalising smacking. This is a right I do not want.

There are a lot of good reasons for not hitting one's children, and one of them is that it is bad for your own self-esteem. Hitting my children (I

have two daughters, aged 9 and 4) makes me feel ashamed and humiliated. And too much shame and humiliation does not a warm, witty, sophisticated human being make. Nor does it do anything for my deportment, weight, complexion or hair.

You have to hold on to your dreams in this life, and one of mine is being clever, loving and funny, as well as being stylish and sophisticated. I don't want to be a defeated mother with my shoulders

**The right to hit my children would leave me feeling ashamed and humiliated, says Rachel Morris**

hunched and my forehead furrowed into wrinkles because all communication has failed and I have been hitting the children again.

The other, rather more altruistic, argument against hitting one's children is that it simply does not work. When my children were small, hitting them hurt their dignity terribly (and dignity was something they had huge amounts of). As they grew older and bigger, they hit me back, and when I snapped at them "Don't hit" they answered, smartly and irreverently: "But you just hit me."

There would then ensue an argument as to who had hurt whom the most, the upshot of which was that I had to apologise to them. And too many apologies mean that

you lose control of the situation.

Now, I know that it is sometimes said that you can smack your children in a cool, rational manner (the "it hurts me to do this, but it's for your own good" argument), but for me it isn't possible. And if it were, it would be an even more alarming prospect. Because hitting your children in a cool, rational way suggests sadism dressed up as self-righteous hypocrisy.

**W**hat is worse is that the children would know it, because children are intuitive. Although they often don't fully understand the niceties of an argument, they do recognise the feelings behind it. What could be worse than to know

that your children know that you enjoy hitting them?

For some years now government has been under pressure to outlaw the smacking of children. Now it seems that the Labour administration finds itself, curiously, taking the opposite line, and sanctifying in statute the right of a large person to hurt, even if only slightly, a smaller one.

In a way, however, it seems to me that the legal status of smacking is beside the point. When we lose our temper

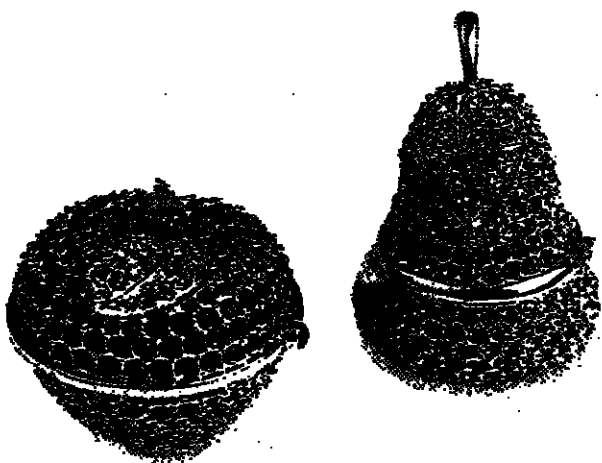
with our children, surely what we are feeling — apart from an ungovernable flash of rage — is a childish desire to wait to the heavens: "Oh Lord, why have you made it so difficult to bring up children? Where has the extended family gone? Why is it so difficult to earn the money to pay the bills, and be a good mother, and also to find time to talk to my husband?"

I know it was never easy, but surely it has become particularly difficult, with

childcare so expensive, and so hard to find, and so costly in terms of the hours we have to work to pay for it, which means that we hardly see each other, or the children. And when we do, we are exhausted. To say nothing of our anxieties about drugs and crime, and the state of the children's schools. Perhaps if the Government could worry more about some of these questions, we might find that the smacking issue would take care of itself.

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## DAVID CHESTNUT

**W**hile the world teeters on its axis following the news that the Spice Girls have split with their manager, Simon Fuller, many will see merely a ritual as old as the pop music industry itself: the clash for control between artist and management. Ever since a fairground huckster called Colonel Tom Parker saw dollar signs in the young Elvis Presley, managers have reserved the right to run not just artists' careers, but also their lives.

Colonel Parker, the archetypal showman Svengali, and Simon Fuller, the low-profile businessman, are poles apart in their style — and the music industry of the late Nineties is a very different

place to the nascent one of the 1950s — but the factors involved are not dissimilar. A manager controls an artist, making decisions that directly affect the artist's career and dictate how much money he or she earns. What has changed over the years is the balance of the relationship. These days, the artist has a far sharper idea of where they are going, what they want and how to attain it. They are far more likely to strike out on their own if it fails to materialise, and with showbiz lawyers always keen to fight a clause, the ground is a great deal more even.

The past year has seen a number of public rifts between young artists, traditionally assumed to have little idea of what they are doing, and their mentors. The former members of Take That were quick to exert their individualism after the band split up. Both Robbie Williams and Gary Barlow rapidly parted company with Nigel Martin-Smith, who had controlled their careers with military precision for six years.

Barlow was always destined for a solo career and Martin-Smith had always intended to use the band as a springboard for that

career. But when the moment came, Barlow chose to go his own way. "Nigel earned his reputation as a Svangeli manager, but that was a show he put on, and because we were the ones to take the music to a different domain and make the shows different," recalls Barlow.

Martin-Smith earned a reputation as a ruthless man, not afraid to exert his control or vent his spleen on those around him, an approach that made Barlow, essentially a warm and generous person, uncomfortable. Barlow, it is also highly ambitious. He wanted to work with top American songwriters and producers, and a manager famous for throwing his weight around was not going to be able to deliver that.

**F**or Williams, catalyst of the Take That split, leaving the band and Martin-Smith was an act of rebellion. Martin-Smith was paternal in the extreme and Williams grew to hate the regime forced on him. However, his wayward spirit, spiralling ego and drink problems made him a difficult character for anyone to work with. Within six months he had worked his way through two more managers in former Creation Marketing manager Tim Abbott and Jelly Street's Kevin Kinless. The result for Williams was a deal with Chrysalis that included a pile of law suits including one for Martin-Smith for £200,000.

ship with Simon Fuller's firm, 19 Management, declaring: "We [Take That] had only touched on our potential, the Spice Girls show how big international success can be — and I want a bit of that."

Yet by last June, the relationship had foundered, amid rumours, ironically enough, that the breakdown had come because Barlow felt Fuller was devoting too much of his time to the Spice Girls. Significantly, Barlow is now managed by Christina Kyriacou, former marketing director at his record label RCA, who left in order to set up a company to look after Barlow's affairs — and only his. At the time he is her sole client.

Frequently, the smoothest artist-management relationships are

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prepared to back up his claims with his fists but he only ever threw his weight around to further the band's cause and he made them a fortune in the process.

Two of the biggest rock acts in the world can point to unbroken relationships that favour the artist rather than the manager: U2 and Oasis. Oasis is the only band represented by Ignition Management, which has managed them since the beginning. The company's almost anonymous figurehead, Marcus Russell, is respected for his ability to cut deals while massaging the egos of his often volatile charges. Significantly, while Oasis enjoy a "rock n roll reputation" (ie, they are supposed not to care about money), Noel Gallagher knows 44-year-old Russell will move quickly when their interests are threatened.

Thus, when merchandisers attempt to chisel in on the band or radio stations break embargoes, punishment is swift. A recent unauthorised attempt to post Oa-



**Robbie Williams (left) and Gary H**



**Ginger Spice (Geri Halliwell) with her arm around Simon Fuller at the Ivor Novello awards earlier this year. There are rumours that his recent sacking followed rows between the two**

sis lyrics on the Internet was threatened with immediate reprisals.

Russell, however, would never dream of dictating what Oasis could or could not say. He does not need to control them like that — the worse their behaviour, the more the press loves it. However, for teenage acts, presentation and media relations are all. A fall from grace could signify the end of the gravy train.

When East 17 singer Brian Harvey made his infamous comments about Ecstasy and failed to turn up for an engagement on *TFI Friday*, the band's manager, Tom Watkins, appeared to exert ulti-

mate control of the band: the right to hire and fire. He refused to work with Harvey, or with the band unless they fired him. The confrontation precipitated the departure of song-writer Tony Mortimer and the severing of Watkins's links with the group.

"Frankly, Brian Harvey had the manners of a pig. I loathed and detested his behaviour. He was disgusting," says Watkins.

Did he push the band too far by trying to govern their morality? "I've never operated that sort of regime," he replies. "I'm not their headmaster, their parent or their lover, and I'm certainly not going to be their whipping boy. The door

is always open here, you can walk in or out."

In fact, Watkins admits to expecting a five-year relationship with his acts before the cracks begin to show. "You're dealing with young people, often very thick ones in the pop world. People with no business acumen or grounding in life," he says contemptuously.

"They tend to think they'll make it without the help of the manager so they can quickly save themselves 20 per cent by dumping them. It's a huge mistake and history demonstrates that."

So have the Spice Girls, who have already made £35 million largely through Simon Fuller's

drive and business nous, made a mistake?

"I don't know whether it's an error, it's not for me to say," says Watkins. "If they want to leave while the party's still rocking, that's great. But if it's going to disintegrate into one of them going off with Simon Fuller, another doing something else, then that's sad."

Rumours are already flying concerning the reasoning behind the Spice Girls' decision to fire Fuller. Some reports say Fuller was sacked after a series of rows

with Ginger Spice, Geri Halliwell, including a confrontation over an alleged "close relationship" with

Baby Spice, Emma Bunton. And first-week sales for the album *Spiceworld* were poor when compared with those of Oasis or Prodigy but then, musically, the band are no longer there to be discovered. They are about marketing, and in these terms they are unparalleled, having cut deals to advertise Pepsi. Walkers Crisps and Impulse Deodorant throughout the efforts of Fuller. Money, then, would appear to be off the agenda.

More likely, the split was about power and who, ultimately, runs the Spice Girls. The five have shown from the start, when they dispensed with the services of Bob and Chris Herbert, the management team that first put them together, that they are willing to exert their famous brand of girl power on anyone seeking to run them rather than their careers.

**W**hether they have taken control of their destiny so wisely this time remains to be seen, but early suggestions are that they are looking for a new team. To do the job themselves, as has been suggested, would only precipitate the end.

Management is there so that someone can deal with the day-to-day business, relieve the hassle, act as a buffer zone — and which Spice Girl is going to take responsibility for that, and thus be seen to run the band? The truth is, artists can survive but rarely thrive without management. More likely, new, more pliable hands will be found to keep things running smoothly while stage three is hatched: an album with a solo solo or possibly even five solo projects.

However, for a band without an obvious front person or song writer — 19 Management, incidentally, looks after the Spice Girls' song-writing teams, Stannard and Rowe, and Absolute — that one could cause a few headaches.

For the time being, the Spice Girls are still a gold mine, though whether the mine will remain productive without Simon Fuller in charge remains to be seen.



Robbie Williams (left) and Gary Barlow (right) rapidly parted company with their manager after Take That split, while Liam and Noel Gallagher have stayed loyal to their mentor

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**Meltdown**  
of our  
plastic age  
Anna Somers Cocks  
on the problems of  
modern conservatism



## PARTY PRIZ

How Formula One got both its money and its money back

Tony Blair is now feeling for the first time what it is like to be in the middle of a major scandal. Earlier this week the problem was a small patch of mire concerning relations between his public health minister, Tessa Jowell, and the exemption of motor racing from the ban on tobacco sponsorship. The link was Ms Jowell's husband, David Mills, who had worked for a Formula One team. The charge seemed always unfair since Ms Jowell had been arguing against her husband's interests and was overruled by Downing Street. But who ever said that politics was fair? The trouble seemed set to pass.

Now a much larger lump of mud stands in Labour's way. It transpires that the Labour Party may have been given £1.5 million for its election campaign by the head of Formula One, Bernie Ecclestone. Tony Blair's decision to support the motor racing lobby and its tobacco sponsors against the interests of public health and the spirit of his manifesto was always an odd one. The arguments of Mr Ecclestone about jobs in the racing industry did not seem to have been aggressively tested. How much did his contribution help his cause?

In Opposition Labour always argued that the Conservatives were in the pocket of those same tobacco companies who are responsible for so much of Mr Ecclestone's business success. Indeed, the Tories vetoed an attempt to secure a European directive against tobacco sponsorship. Now it is known that Mr Ecclestone was a massive supporter of them too, giving some £8-10 million, according to party sources.

His generosity to both parties must dwarf that of any other donor. It is impossible, however, to say for certain. The Tories have never published either the names of their donors or the amounts given — although William Hague now plans, like Labour, to reveal the names behind all donations of more than £5,000. This level of transparency is also deceptive. The difference between

£5,000 and £8-10 million is critical. The former might buy a place at a couple of fundraising dinners attended by Cabinet ministers. The latter could bankroll a party through most of an election campaign.

Labour has now undertaken to pay back Mr Ecclestone's money, on the advice of Sir Patrick Neill, Lord Nolan's successor. He found that the party had breached no rules, but that "in order to avoid the appearance of undue influence over policy", the money should be returned. The Conservatives, who can no longer help Mr Ecclestone, may feel safer in keeping their money. They should examine their consciences too.

Sir Patrick may be right that no rules have been broken. But this merely shows the inadequacy of the rules. Not only the names of party donors but the amounts of their donations should be disclosed. Otherwise voters will have no idea of how beholden a political party might feel to its supporters.

Mr Ecclestone's munificence may have had not the slightest effect on Mr Blair's decision to exempt Formula One. But the arguments that his ministers have used to support the policy were hardly persuasive. It was claimed, for instance, that 50,000 British jobs depended on Formula One. Actually, that figure represents total employment in the motor sport industry, of which Formula One accounts for just 8,000.

Even then, it seems naive to believe that these jobs would go if motor racing moved out of the European Union. Just one Grand Prix takes place in Britain. Yet this country dominates the sport. Formula One teams will continue to use the most successful companies, and these will continue to be British.

If the Labour Party used to be instinctively anti-business, new Labour is in danger of succumbing to the opposite kneejerk reaction. Business will argue for what will maximise its profits; and this does not always equate with the national interest. Mr Ecclestone has both won his way and got his money back. He must be delighted.

## SCEPTICS AT THE CBI

Brown and Barclays move in parallel universes

Despite talk last week of a "ten-year rift" between the Confederation of British Industry and the Conservative Party, William Hague won a surprisingly warm reception from the CBI conference yesterday. He told them what many did not want to hear; but he did so with thoughtfulness and cogency. This was not the speech of an anti-European, but of a modern sceptic.

With cool rationality, Mr Hague warned his audience of the dangers to their own businesses of signing up for a single currency. Yes, transaction costs would be reduced and transparency increased. But did British businesses really want to pay 45 per cent corporation tax, as in Germany, rather than the 31 per cent they pay here? The European Commission has already complained about the "harmful tax competition" coming from Britain. Once in EMU, the Government would find it hard to fight imposed uniformity on tax rates.

Mr Hague also reminded CBI members of how they suffered when the pound was in the ERM. Being stuck in a single currency would be like being "trapped in a burning building with no exits". His economic analysis took his listeners through the adverse impact on demand and jobs that EMU could cause. Sensibly, he appealed to their selfish instincts as business leaders not to any wider, more abstract sense of democratic duty.

Yesterday's debate proved that CBI members are by no means unanimous in their support for EMU. So did the letter to *The Times* from the heads of 13 large companies ranging from Lomax to Associated British Foods, Jardine Matheson to Kwik Save.

Perhaps the most persuasive contribution came from Martin Taylor, chief executive of Barclays Bank. "I have been a Europhile all my life. But I am an EMU-sceptic," he said, before going on to explain that only political integration and a federal taxation system could make EMU work. Without an exchange rate to take the strain of economic adjustments, all the burden would fall on the labour market, with wage cuts and higher unemployment the result.

Did Gordon Brown heed any of this impeccable economic logic? The Chancellor could have been living in a parallel universe. His comparison of EMU with the single market in terms of loss of economic sovereignty was spurious. Regulations governing the contents of a bottle of beer can hardly be equated with irreversible loss of control over the entire economy.

If the Chancellor is not to be allowed to join EMU in this Parliament, he seems determined instead to bring it in by stealth. His preparations aim to encourage British companies to do business in euros, to issue shares, pay taxes, file accounts and have bank accounts in the currency. He intends to flood schools and libraries with pro-EMU propaganda. If he has his way, by the time of the referendum the momentum will be unstoppable.

It is of course wise for businesses and Government to prepare for EMU; Britain will be affected outside as well as in. But there is all the difference in the world between being prepared and being frog-marched. Mr Brown compared EMU to decriminalisation: he should be reminded that membership is not a foregone conclusion.

## INTERESTS OF JUSTICE

Judge Zobel has rightly exercised his discretion

The debate about the extent of Louise Woodward's complicity in the events surrounding the death of Matthew Eappen will continue even after the dramatic events in a Boston courtroom yesterday. In truth it is almost impossible to know what actually happened on February 4. The sentence finally handed on February 4. The sentence finally handed on February 4. The sentence finally handed on February 4.

Judge Zobel has spent the better part of a week constructing his opinion. The state law allowed him considerable discretion in these matters, although on the implicit understanding that a jury's decision should not be altered often or lightly. There were many in Britain who hoped, understandably, that he might quash the charge outright or order a retrial. Those courses were always highly unlikely.

In the circumstances, the judge travelled as far as he could have. He knew that the original jury had been placed in an impossible situation. The 12 had been asked to choose between absolute guilt and total innocence. Those who had sat through this case thought the truth sat somewhere between the two in an uncomfortably substantial grey area. Judge Zobel offered himself the option of involuntary manslaughter which had been denied — by the

deliberate decision of prosecution and defence alike — to the jury. He came to the reasoned assessment that this is what they would have chosen. He offered his reassessment, as he said, in the interests of justice.

In his opinion the judge did his best to unpack the evidence. He argued that the death of Matthew Eappen was "not characterised by malice in the legal sense" but instead was the result of "confusion, inexperience, frustration and some anger". That still implies that some responsibility should be placed with Miss Woodward. This view will be resisted by her supporters. They will have further opportunities to outline her innocence. The law of Massachusetts offers many avenues of appeal.

Judge Zobel could not, however, ignore the original views of the jurors entirely. When put in a corner they preferred too much guilt to too little. In reaching this view they rejected a large chunk of alternative interpretation put forward by the various defence lawyers. That was their right and it should be respected. The injuries suffered by Matthew Eappen require explanation. The outcome to this trial reached last night — provisional as it remains — will strike many, perhaps most, as still unsatisfactory. But it is much better than it looked ten days ago. Judge Zobel deemed that the mistakes of prosecution and defence alike should not have led to an excessive murder conviction. Miss Woodward can now seek to clear her name from a position of greater comfort.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

### Is topping-up the Oxbridge answer?

From Professor Sir Eric Ash, FRS, FENG

Sir, Tutorials work better than lectures — a fact to which any one who has served in academia can testify. Unhappily it is an expensive form of education, which as the major modality of teaching, Oxbridge alone has been able to afford.

One need only ask the question of whether it is equitable to support Oxbridge in the continuation of this system from the public purse to see that the answer has to be an emphatic no. As you rightly suggest in your leading article ("Quest for quality", November 10), to permit Oxbridge to charge the appropriate top-up fee seems a reasonable compromise — and one which would not, I believe, be resented by other universities.

This solution does, however, raise the fear that it might further decrease the number of Oxbridge students coming from poorer families. I would suggest that this problem could be overcome by setting up a private loan scheme, specifically to cover the top-up fees. The banks would relish the chance. Oxbridge could provide a guarantee for the repayment of these loans.

Since on the whole Oxbridge graduates tend to be employable, this guarantee would be affordable, and ensure that the terms for the loan would be benign.

Yours faithfully,  
ERIC A. ASH,  
11 Rippledale Grove, NI,  
November 10.

From Professor Emeritus George Wedell

Sir, Sir John Kingman (letter, November 7) is quite right. Not only do many universities other than Oxford and Cambridge maintain international standards in research and teaching without the grants provided for those universities, but they also undertake important developments in new areas of study. They could well use a national academic development fund endowed by the transfer of the £35 million at present allocated to Oxbridge college fees.

The European Institute for the Media, a research centre of international stature founded in the University of Manchester in 1983, was lost to this country in 1992 because the £750,000 per annum needed for its development could only be found abroad.

Yours faithfully,  
GEORGE WEDDELL,  
18 Cranmer Road,  
Manchester 20,  
November 9.

From Lord Rix, Chancellor of the University of East London

Sir, It is perhaps ironic that next Wednesday when, as Simon Jenkins puts it, "the scions of Oxbridge will descend en masse on the House of Lords to protest at the threat to their subsidies" ("Tough on the top-up", November 8), I shall be performing my duties as the Chancellor of this university. I shall be awarding degrees to about 600 graduates at the third of six similar congregations this autumn.

There are approximately 12,000 students at the UEL. They come from all parts of society and many different backgrounds. Over 1,000 are from countries outside the EU. Ethnic minority groups form a majority. Over 50 per cent are women, more than 500 of them are disabled and — perhaps most exciting of all — two-thirds of them are classed as "mature".

For all these non-traditional students, UEL is a remarkable seat of higher education. To me, their existence is evidence that, should Oxford and Cambridge lose their inequitable subsidy, the scholarships and bursaries which could then be distributed among all university students would lead to a truly egalitarian society.

Yours etc,  
BRIAN RIX,  
Chancellor,  
University of East London,  
Langridge Road, Dagenham, Essex,  
November 9.

From Professor Andrew Palmer, FRS, FENG

Sir, Many academics will continue to support the present system of payment of college fees, because it costs them nothing to do so, and because it enables them to avoid the hard choices that confront anyone else who has the responsibility of spending public money.

The right strategy is to allow any university to charge top-up fees if it wishes to do so, and to allow Cambridge and Oxford Universities to transfer to their colleges whatever amounts they think fit.

If the colleges have an essential function in the continuing excellence of those universities, the transfers will no doubt be very large.

Yours faithfully,  
ANDREW PALMER,  
University of Cambridge,  
Department of Engineering,  
Trumpington Street, Cambridge,  
November 10.

Letters for publication should carry contact telephone numbers. We regret that we cannot accept letters by telephone but they may be sent by fax to 0171-782 5046. e-mail to: letters@the-times.co.uk

### 'No win, no fee' proposal no solution to legal aid reform

From Mr D. P. Marchessini

Sir, Writing as an American lawyer, I strongly support the opposition to contingency fees for civil litigation expressed by Mr Stephen Nathan, QC (letter, November 3). However, I do so for opposite reasons.

The problem is not that lawyer and client will have different interests, but that they will have the same interest. The British common law system is based on the concept that both attorneys act as officers of the court, and although it is their duty to protect their client's interests vigorously, it is also their duty to see that justice is done.

Contingency fees change the basic relationship of lawyer and client to one of two partners, both trying to obtain money from the court (and frequently it is the attorney who receives the lion's share).

Such a relationship makes it quite unrealistic to expect attorneys to act as officers of the court. Indeed, we have the example of the United States, where for many years we have seen countless lawyers behaving unethically.

The answer is not to chuck out the legal aid system, but rather to control it better and to make it more responsible. This could be done by restricting it to cases which have a substantial chance of success, and at the same time eliminating cases which the majority of the population would consider trivial or absurd or politically motivated.

Yours faithfully,  
D. P. MARCHESSINI,  
Marchessini & Co Ltd,  
Kingsbury House,  
15/17 King Street, St James's, SW1,  
November 3.

From Mr Stanley Best

Sir, Like Mr Stephen Nathan, QC, I deplore this Government's intention to dilute legal aid even further than its predecessor did.

In criminal cases the legal aid fees for the Bar have been savagely cut as

from January 1, 1997. A determining officer has pointed out to me that work in one particular case prior to the new scheme, attracting total fees of £2,339.45 and covering all preparation and a trial of four days — with a fifth spent on pleas, directions for trial, an inspection of the *locus in quo* and a conference with the client — would now be rewarded by a total of £1,259.

Why? In great part because no longer is counsel paid for any written advice, the drafting of the defendant's statement of case (a vital document required to be served on the prosecution) or conferences with the client. He may thus be expected either to do over £1,000 worth of work for nothing or to see his client suffer. Only the "fat cats" will prosper, as now.

In civil legal aid cases where county court costs per case are restricted to £2,500 the result will be the same. Those able to pay proper fees will inevitably have a better service than those on legal aid.

Contingency fees offer no help for cases where damages are not the principal remedy, nor will they assist where the damages claimed are very small. Those of limited means, to whom a hundred or two pounds in damages would be thought a small fortune, will thus be excluded entirely from justice.

What price new Labour?

Yours faithfully,  
STANLEY BEST,  
Clebe Cottage,  
Broadwoodkelly, Winkleigh, Devon,  
November 4.

From Mr Lionel Bloch

Sir, Mr Stephen Nathan, QC, and other correspondents are perfectly right to underline the fact that the Lord Chancellor's "no win, no fee" proposals are no substitute for legal aid and that, ultimately, they will damage our system of justice. However, neither they nor Mr Adrian Zuckerman (article, October 28) seem prepared to acknowledge that the State cannot continue to finance the

ever-increasing cost of subsidising improvident litigants.

This open-ended liability could be brought under control by a change in our current rules of procedure, under which every bit of paper, however remotely connected with a case, is included in the proceedings.

It is this perfectionist approach to evidence which is largely responsible for the exorbitant cost of litigation. Stemming this documentary flood is obviously not popular with many practitioners; but does this justify the lack of debate on such an obvious remedy?

Yours faithfully,  
LIONEL BLOCH,  
Halcyon,  
Ormond Avenue, Richmond, Surrey,  
November 3.

From Mr Guy Mansfield, QC

Sir, The bald statement by Mr David Pannick, QC, that "conditional fee agreements... have been working well in the personal injury field" ("Why the Chancellor is right", Law, November 4) is misleading.

The only survey which has investigated such agreements to date was made by the Policy Studies Institute and summarised in a report published last September, entitled *The Price of Success*. It was a survey of 300 firms of solicitors, all personal injury specialists, and the Bar was not asked to take part.

That survey found a worrying inconsistency in the uplift (success fee) applied to cases with similar chances of success, and potentially serious cause for concern about whether the scheme is operating fairly and consistently — a matter on which it pointed out that consumers are in a weak position to judge.

Yours faithfully,  
GUY MANSFIELD  
(Vice-Chairman, Legal Aid and Fees Committee of the Bar Council),  
1 Crown Office Row, Temple, EC4,  
November 4.

### Easing pain for the terminally ill

From Dr David Oliver

Sir, I am concerned that the media coverage of Annie Lindsell's court case (report, October 29; interview, November 1) may have caused confusion about the help that can be offered to control the symptoms of terminally ill patients.

The treatment to which Ms Lindsell has "won the right" is the use of carefully adjusted doses of morphine, diamorphine or other medication to relieve pain, breathlessness or other symptoms she may experience. This approach is neither new nor unusual. It is the standard practice in hospices and specialist palliative care services all over the country and should be available to any person with advanced motor neurone disease, cancer or other terminal illnesses.

Much has been made of the supposed risk that treatment with morphine or diamorphine might shorten life, by the so-called "double effect". When used appropriately, in the way reported to be proposed by Ms Lindsell's GP, Dr Simon Holmes, diamorphine is unlikely to cause death. At the

hospice of which I am the medical director, the average duration of use of morphine for patients at home with motor neurone disease is 240 days, and the average duration of use of diamorphine by injection is two days.

A person with a terminal illness should not fear that the only choice is between enduring a distressing death or having their life ended. With good palliative care, addressing the physical and psycho-social issues, death for people with motor neurone disease does not need to be distressing. Symptoms can be controlled by the careful manipulation of medication, without necessarily shortening life.

I am somewhat mystified why Ms Lindsell and Dr Holmes felt it necessary to go to court over a treatment that is readily available to her in the first place and which doctors carry out daily without fear of prosecution.

Yours faithfully,  
DAVID OLIVER,  
(Medical Director),  
Wisdom Hospice,  
St Williams Way, Rochester, Kent,  
November 1.

### Formula 1 sponsorship

From Mr F. D. Skidmore

Sir, Doctors treating cancer thought that the incoming Government was taking a scientific and ethical approach to preventing cardiovascular and malignant disease by banning cigarette advertising (letters, November 7). However, the new occupant of No 10 and the ministerial team at the Department of Health appear to have lost their reason, now that they are confronted by the tobacco and motor industry lobbies.

Robin Cook trumpets an "ethical" foreign policy to prevent death and injury by British-made munitions in the Third World. What now of a policy directed at saving thousands of young lives in the UK and reducing the misery of chronic ill-health and forced unemployment because of cardio-respiratory insufficiency?

Yours sincerely,  
F. D. SKIDMORE  
(Consultant surgeon and surgical oncologist),  
11 Orchard Drive, SE3,  
November 6.

### Choc horror

From Mr R. N. Richman

Sir, I am afraid that Dr Napier Pennington (letter, November 7) has fallen into the trap laid so subtly by those devious foreigners. They are taking it for granted that their definition of chocolate is the true one, and that we will accept it on their authority.

My view, supported by a substantial body of evidence (around 15 stone) accumulated through years of personal experience, is that chocolate is not true chocolate without an adequate quota of vegetable fats, just as breakfast is not breakfast without both bacon and eggs. The Belgian pseudo-chocolate should be renamed "cocoa confectionery".

Yours faithfully,  
R. N. RICHMAN,  
Wits End,  
6 Grosvenor Close, Ashley Heath,  
Ringwood, Hampshire,  
November 7.

### Funding for Bosnia

From Mr Peter Anderson

Sir, In 1996 most of the funding for Bosnia being channelled through the European Commission was not spent, largely because its procedures, on its own admission, could not co-ordinate such a complex programme.

Early in 1997 the Commission sent an independent study team, of which I was a member, to prepare an integrated plan for the Una Sana and Banja Luka regions for the years 1997 to 1999 which could be used in all regions. It included reconstruction, kick-starting the economy, community services, repatriating refugees and displaced persons, co-ordinating inputs from all agencies and a full management approach.

More than six months have passed since the plan was accepted, but despite the desperate situation in Bosnia the Commission has done little to improve matters and the underspend continues.

The tragedy of Bosnia is not that resources are not available, but that the European Commission is incapable of organising them. It is easy to have sympathy with Eurosceptics.

Yours faithfully,  
PETER ANDERSON,  
4 Sweetmore Close,  
Lower Oddington,  
Morton-in-Marsh, Gloucestershire,  
November 4.

### Proceed with care

From Miss Victoria Barnett

Sir, We recently received a lovely flower arrangement from my sister. With it we got a "flower and plant care guide" which included the following words of wisdom:

Candles: These are for decoration only. To avoid the risk of fire you are advised not to light them.

Yours faithfully,  
V. BARNETT,  
13 Langley Avenue,  
Monksheaton, Tyne and Wear,  
November 9.

### Act of remembrance

From Mr Joe Vitagliano

Sir, Any act of remembrance that simply looks to the deaths of the past (leading article, November 8) dooms us to an infinite repetition of such acts without any guarantee of change in the future.

Perhaps today, in what appears to be a new mood of national pride, we should use the two minutes of silence as follows: the first reserved for the tragic loss of life that inevitably accompanies war; the second for the futility that is often foisted on trusting populations all over the world who do the bidding of remote and protected politicians.

Yours faithfully,  
JOE VITAGLIANO,  
79 Farm Holt,  
New Ash Green, Longfield, Kent,  
November 10.

From Mr Brian Locke

Sir, As well as dedicating our village war memorial to the score of men who gave their lives in the First World War, the words continue:

And also a thank offering to Almighty God for the return home of their 90 comrades.

Yours faithfully,  
BRIAN LOCKE,  
Cadogan Grange,  
Bisley, Stroud, Gloucestershire,  
November 10.

### Defining the age

From Mr Ray Ward

Sir, How did Collins Dictionaries come to choose "moon buggy" as their 1969 word ("Words that define the modern age", November 3)? The "moon buggy" (tunar rover) was first used on Apollo 15 in 1971.

Yours faithfully,  
RAY WARD,  
Flat 97, 17 Sheppard Drive, SE16.

From Mr K. L. Samant

Sir, Blairite (1997)? Never heard of it. But the whole world knows Thatcherism.

Yours faithfully,  
K. L. SAMANT,  
16 Charles II Street, SW1,  
November 4.

### I bank, therefore...

From Mr Nigel P. Ready

Sir, Your correspondent requiring a "certificate of existence" (letter, November 3) would be well advised to visit a local notary public. Notaries public, who may be found in all major towns, are appointed by the Archbishop of Canterbury and their certificates are recognised internationally.

Yours faithfully,  
NIGEL P. READY  
(Honorary Secretary),  
Society of Public Notaries of London,  
10 Philpot Lane, EC3.

From Dr John Burscough

Sir, I am often asked to countersign my patients' "certificates of existence". I always check their pulses before doing so.

Yours faithfully,  
JOHN BURSCOUGH,  
Woodland View, Meholn Road,  
Wrawley, Brigg, Lincolnshire,  
November 5.











# An opportunity to win £1,000 every month

## The story so far

So who is this Marco Negri that everybody is talking about? Why? Are there lots of other Marco Negris that nobody is talking about?

In Rome, probably. I mean the one in Glasgow. Oh, that Marco Negri. He plays for Rangers. I had got that far. I want to know where he suddenly sprang from. I read last week that most of the people who win the ITF monthly prizes have him in their teams. How did they know about him?

What are you trying to say? I suppose I'm trying to say "Why didn't I know about him?" Failure of your scouting system, old chap. We've had this conversation before.

But about Negri... Came from Perugia in Italy for £3.5 million in the summer. Scored 15 goals in 27 games for a team that got relegated, including six in the last four matches. And all that against Italian defences.

Absolutely. So anyone with half a brain should have known what he would do against Dunfermline and company. You said it, I didn't. But you're being hard on yourself. A lot of people thought that Brian Laudrup would score more points this season than he has so far. The trouble is, it would be a little expensive to rectify the Negri situation.

Ah yes — player revaluation, of course. £3.5 million was affordable. Since the first revaluation, he would now cost me twice that.

But are you sure your own strikers aren't up to the job? Well, you remember I was thinking of pepping up my forward line?

And every striker you considered immediately stopped scoring?

You do remember. Anyway, I did a little wheeler-dealing and brought in Chris Sutton — Glenn Hoddle obviously agreed with me, because he put him in the England squad — and although he had a header saved, he didn't actually score himself.

Neither did Negri, of course.

Er? What's that?

Yes, Rangers won the Old Firm game, but it was Richard Gough who scored the goal.

Maybe I should pay closer attention to the Scottish results. I think my point about scouting is made.

Still, it's a bit academic.

How do you mean?

I had to move so many players around to raise the cash for Sutton that I've used up all my transfers until December now, anyway.

Has your side got that Barnsley feeling? Take heart from one team which has jumped no fewer than 58,000 places this month alone.

Danny Wilson, the Barnsley manager, faces a long struggle if he is to lift his team the three places up the FA Carling Premiership table to safety. He may take inspiration from some examples of Interactive Team Football managers who have recently made far more spectacular leaps in the listings, thanks to extensive use of the transfer system.

Mr G. Millington, of Worktop, has seen his team, Survivors (a message for Barnsley there?) jump 2,491 places since the end of October, to the heady heights of 238th; in other words, among the contenders. The big names, like Negri and Schmeichel, have all been in and out of the side.

An even bigger jump was recorded by Mr S. Cranshaw, of Chelsea, whose Sweet FA ended October 29 placed 689th. 220 points later, he has risen to 4,801st: the last-minute signing of Teddy Sheringham and Kjell Olofsson, both of whom scored twice on Sunday, made a significant difference. Lower down the ITF tables, a few points can trigger a rise or fall of thousands of places. Jacqueline Gillies, October's winner of the Women's League, scored a relatively modest 174 points, but it was enough to boost her position in the main ITF league by no fewer than 58,712 places. "Unbelievable," she said. Only another 28,812 to go.



Persevere, though, and you will get there in the end. George Weiss, aka Rainbow George, has entered ITF in both the previous two years, but now, for the first time, sees his selection, Rainbows Topteam, stand proudly at the

## HOW IS YOUR TEAM DOING?

Call the ITF helpline on 0991 884 643

50p a minute, using a Touch-tone telephone. Public telephone cost about twice as much.



Sutton: second top ITF striker, England squad member, but no goals on Saturday

head of the ITF listings. "I'm quite thrilled," he said. "I don't expect to stay there very long. I've got, I think, one transfer to go." His best deal of the past week was to sign David James in place of Schmeichel — worth, in total, 13 points. He applied, unsuccessfully, for the Newcastle manager's job after the resignation of Kevin Keegan. After this, Sir John Hall might wish he had reconsidered. But if the Barnsley job comes up...

## FA CUP: YOUR UP-TO-DATE TEAM SCORES

The brand new Times Feedback service provides you with a complete results sheet of your team, showing current and total scores, dates, times and details of transfers, as well as your position in the ITF League and, if appropriate, your mini-league (women's, students, youth). Scores and transfer confirmations are updated by 12 noon on the day following a match or matches.

Make sure you have your ten-digit PIN number ready when you call. To obtain an ITF Team Feedback, simply pick up the handset of the fax machine and dial the telephone number below. If your fax does not have a handset, attach a handset or press the on-hook or telephone button instead and dial the number below. Listen carefully to the instructions and press the appropriate buttons when asked. Calls cost £1.10 per minute and are available in the UK only.

The number to call for your Feedback is:

**0991 111 333**

If you have any problems operating this service, call the Feedback Helpline on 0172-412 3795. This service is provided by Telecom Express, Westminster Tower, London SE1 7SP.

## LEAGUE UPDATES

ITF LEAGUE	PFA PLAYERS' LEAGUE
£50,000 top prize £1,000 monthly prize	Monthly prize of £1,000
STUDENTS' LEAGUE Monthly prize of £1,000 signed football and sports bag	YOUTH LEAGUE Monthly prize of £1,000 signed football and sports bag
WOMEN'S LEAGUE Monthly prize of £1,000 signed football and sports bag	

## WOMEN'S LEAGUE

1 S Brooks	Sandra Specials	380
2 P Johnston	XII Superstars	372
3 S Reader	Sophie Reader Pa	371
4 P Sloan	Paido Ltd	370
5 S Whitfield	Snail Busters	366
6 H Irvine	Hed's Belles	359
7 P Bee	Bumble Five	357
8 V Douglas	The Belle Delli	353
9 B Sharp	Penfield FC	353
10 L Emery	Buggey's Boys	352
11 J Blimad	James's Allstars	350
12 B Fletcher	Ab Fab	348
13 E Stange	United States	348
14 J Gardner	IS Chumbawumbas	347
14 A Gallagher	The Lynch Mob	347
14 P Bee	Sounds Good	347
17 S Catchpole	Blue Boys	345
17 C McKnight	Real Plastic X	345
19 J Lumsdaine	Ajax Leamington	344
20 S Alder	Shonas Hotshots	343

## STUDENTS' LEAGUE

1 N Wheatley	H D G Is A Sad Waster	421
2 G Wilson	Dog Soldiers	405
3 Mr N Wheatley	Whitbridge Is Ill	395
4 I McGill	The White Helms	373
5 J Wadswell	Patric's Shabooob	372
6 N Wheatley	A Tight Horse Is Fun	368
7 Z Teer	Ziggy Greaves XI	368
8 P Henson	Hensonhammers	367
8 C Marinczak	Jansen's XI	366
10 T Gardner	6 Chumbawumbas	362
11 Steven Shipley	Set Against	360
12 C Van Hough	The Boy Sprouts	359
13 H K Gajdhur	Hem's Eleven	355
14 J Frost	Variety Sports Inter	353
14 J Liversidge	Real Rumbottom	353
16 J Pettigrew	Tor Cosmos	348
17 J Gardner	IS Chumbawumbas	347
17 A Gallagher	The Lynch Mob	347
17 M Barker	Matte Marvells	347
17 C Tyler	Allstars 2	347

## YOUTH LEAGUE

1 D Lewis	Lewis Boys II	405
2 G Calderbank	Calder XI	396
3 C Marinczak	Jansen's XI	366
4 P Carter	Spartan Carrier	365
5 R Alden	Corpholite Boys	361
6 T Smith	Up The League FC	358
7 N Brotherton	Total Commitment	353
8 M Scarsdale	Horley Flames	352
9 D Chedham	Clifton Rovers	352
10 K Stewart	Nowt Special	349
10 R Caulfield	Caul's Dwarfs	349
12 S Bird	Golden Wonders	348
12 G McKibbin	The Roach Kings	348
12 T Stansfield	Guilford Goals	348
15 J Gardner	IS Chumbawumbas	347
16 M McKnight	Ballygallyovers	346
17 M Roberts	Krystonia Three	345
17 C Oyston	The Offspring FC	345
19 C Wheaton	Chris's Crackers	344
19 Z Zaklinski	Zacks Army	344

## ITF LEAGUE

1 G Rainbow	Rainbows Topteam	459
2 Mike Madden	Poachers never change their sp	454
3 Mr D Edbrooke Stainer	Ca	453
3 S Legg	Coase 4	453
5 Mr M Jones	Big Mac Europe	444
6 George Mijostovich	JB4	442
7 Mr M Jones	No name	442
7 Malcolm Jackson	Brantingham FC	441
8 B Packerley	Legion	436
8 C Sloan	Libertas	435
10 J W Goody	Goulou Goulou	431
11 D Ross	Out Of The Blue	431
12 Muldon	Came Of Two Pines	431
14 D Penton	JB4	431
15 Chris Forde	Chelsea 6	431
15 Mr M Jones	Golden Wonders	431
15 K Packerley	Benjamin Snicks	431
15 Al Hastings	Mr Wade XI	431
15 Steven Adams	Genesis	431
20 Mr A Colombari	Bobs Boys	427
21 R Calder	D Shute	426
21 D Shute	United	425
21 G Kooner	Inverness Underdogs	422
25 Mary Ann Kennedy	H D G Is A Sad Waster	422
25 W Wadswell	This Years Lot	422
25 Diney	Fairfield Dons C	422
28 R Yates	Ace Adam 2	419
28 Mr S Legg	Murder 6	418
31 Allison Scamlan	Flying Kiwis	418
31 J W Goody	Jed	418
31 Mary Ann Kennedy	Tao Farr	415
31 B Birchall	Pike Flyers	415
31 V Cox	Pegasus And Unicorns	415
31 J Hunt	JB4	414
36 Mr M Jones	Sydney Celtic FC	414
37 Richard Callis	John Hunt Tumbler 7	414
37 J Hunt	Unsworth For England	412
39 Mr Trevor K Perry	Burr's Spurs 4	412
40 C Burr	Lee Dicks	412
41 D Shute	Novus Spellers	409
41 Barber Papa A la Bacon	Kelth 2	409
41 K Farhall	Goose 5	409
41 S Legg	Dons 5	409
41 D Shute	Yukon Merchants	409
45 P Rees	Teddybears Pinklocks	408
45 Mrs Sheila Borland	Dog Soldiers	408
45 G Wilson	AC Dor UK	408
45 Chris Forde	Turners Earners 5	405
45 P Turner	Knight	405
45 A Henderson	Premier Stars	402
45 C Milner	Enid 4	401
45 J Heather	Winnor Warriors 4	401
45 Tim Oldfield	Wormo	401
45 Ceady	Nudge Nudge Wink Wink	401
45 Jeremy Dwyer	John Hunt Tumbler 3	401
45 J Hunt	Don 1	401
45 Adam Hargrave	Cell Block H	401
45 D Shute	Nadar	400
45 R Jones	Spazz	400
45 A Nevins	Orlando Magic	400
45 Susan Matkin	JP 1	400
45 Alex Rastiffe	Adam Hargrave	400
45 Jon Pregon	Hi Ate Us	400
45 Adam Hargrave	R.S.B.	398
45 Graham Watson	Drowned Goldfish	397
45 Richard Keenan	Bumble Twelve	397
45 P Bee	K43	397
45 Mr K Leiby	K43	397
45 Mr K Leiby	Whitbridge Is Ill	395
45 Mr N Wheatley	Santamara	395
45 A Old Barn House	Andrew	395
45 Guidio	Crescent Dabbar	394
45 Graham Watson	Graham Watson	394
45 James Tan	Red Spencers	394
45 K Farhall	PK 506	394
45 C Soerlet	Turners Earners 6	394
45 P Turner	R J Yates	393
45 R J Yates	T N K	393
45 A Edeger	573	393
45 Gordon Taylor	Wassinton United F.C.	393
45 Peter McDermott	AI	393
45 Mr D Edbrooke Stainer	Conse 8	393
45 S Legg	Fairfield Dons B	392
45 V Cox	The Wright Ones	392
45 J Bartlett	Harkin Ud	392
45 P Darnell	Woodside Wallops I	392
45 Morgan Kelly	K29	392
45 Mr K Leiby	Odin N Sods	392
45 Men D Nichols	Turners Earn 5	392
45 Mr A Mellon	Steve Fitt	392
45 P Turner	Viv Men	391
45 R Yates	Legit	391
45 J W Goody	Nails XI	391
45 Hugh Somerville	Alyssa Aces	391
45 Mr I Smith		391

## PFA PLAYERS' LEAGUE

1 Paul Simpson	Derby County/Wolves	308
2 Simon Grayson	Amn Villa	298
3 John Salako	Coventry City	290
4 Don Glasby	Wimbledon	282
5 Alfuge Hasland	Leeds United	280
6 Robert Lee	Newcastle United	270
7 Steve Perry	West Ham United	262
8 Bern Kwame	Liverpool	262
9 Rob Savage	Leicester City	261
10 Kyle Lighthourne	Coventry City	250
11 Jonathan Hunt	Liverpool	249
12 Tim Breacher	West Ham United	245
13 David Tuttle	Crystal Palace	243
14 Richard Shaw	Coventry City	243
15 David Barry	Newcastle United	242
16 David Whetall	Leeds United	240
17 Kevin Cunningham	Wimbledon	239
18 Kevin Gallacher	Blackburn Rovers	238
19 Frank Lehouf	Chelsea	231
20 David Seaton	Amn Villa	226
21 Paul Williams	Coventry City	224
22 Kevin Mustal	Crystal Palace	223
23 Kevin Hindcock	Chelsea	220
24 Phil Babb	Leeds United	219
25 Lee Sharpe	Tottenham Hotspur	210
26 Gary Mabbutt	Chelsea	209
27 Jason Burt	Blackburn Rovers	209
28 Dennis Wise	Blackburn Rovers	209
29 John Hendrie	Barnsley	209
30 Neil Redburn	Barnsley	208
31 Dean Holdsworth	Wimbledon	208
32 Gareth Southgate	Aston Villa	208
33 Teddy Sheringham	Manchester United	206
34 Dave Watson	Leicester City	204
35 Poynt Karamark	Barnsley	203
36 Andrew Liddell	Blackburn Rovers	203
37 Robbie Slater	Leeds United	203
38 Nigel Martyn	Manchester United	201
39 Nicky Butt	Manchester United	199
40 Graeme Le Saux	Derby County	196
41 Robin Van Der Laan	Wimbledon	194
42 Stewart Castledine	Aston Villa	194
43 Lee Dixon	Leicester City	191
44 Kasey Keller	Aston Villa	191
45 Ugo Ehiogu	Liverpool	188
46 Patrick Berger	Leeds United	188
47 Lewis Nnoni	Crystal Palace	186
48 Andy Roberts	Newcastle United	185
49 John Beardsley	Blackburn Rovers	185
50 Colin Hendry	Derby County	184
51 Chris Powell	Tottenham Hotspur	183
52 John Skales	Aston Villa/Middlesbrough	182
53 Andy Townsend	Chelsea	182
54 Steve Clarke	Blackburn Rovers/West Ham	180
55 Ian Pearce	Tottenham Hotspur	180
56 Andy Sutton	Blackburn Rovers	172
57 Jan Robinson	Blackburn Rovers	172
58 Steve Lomas	West Ham United	172
59 Roger Cross	Tottenham Hotspur	172
60 Alan Hargrove	West Ham United	169
61 Darren Fisher	Crystal Palace	169
62 Spencer Fitt	Leicester City	159
63 Kenny Williams	Everton	159
64 Gary Neville	Manchester United	159
65 David Beckham	Manchester United	149
66 Nicky Eadon	Barnsley	146
67 Mark Wright	Liverpool	142
68 John Dowie	West Ham United	140
69 Graeme Zola	Chelsea	135
70 Lee Sharpe	Derby County	132
71 Colin Calderwood	Tottenham Hotspur	132
72 Alan Wright	Aston Villa	118
73 Alan Shearer	Newcastle United	112
74 Mark Ewen	Crystal Palace	108
75 Mike Whitlow	Leicester City/Bolton	69

## INTERNET LEAGUE

1 Mike Madden	Poachers never change	454
2 George Mijostovich	Big Mac Europe	444
3 Muldon	Goulou Goulou	433
4 Chris Forde	Came Of Two Pines	431
5 Mary Ann Kennedy	Inverness Underdogs	422
6 Allison Scamlan	Flying Kiwis	418
7 Mary Ann Kennedy	John Hunt Tumbler 3	415
8 Richard Callis	Sydney Celtic FC	413
9 Mr Trevor K Perry	Unsworth For England	412
10 Barber Papa A la Bacon	Novus Spellers	409
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12 Chris Forde	AC Dor UK	405
13 Tim Oldfield	Winnor Warriors 4	401
14 Ceady	Wormo	401
15 Jeremy Dwyer	Nudge Nudge Wink Win	401
16 Susan Matkin	Spazz	400
17 Alex Rastiffe	Orlando Magic	400
18 Graham Watson	Hi Ate Us	398
19 Richard Keenan	R.S.B.	398
20 Guido	Santamara	395

## HOW THE SCORING SYSTEM WORKS

ITF 2500 is entered in the FA Carling Premiership, FA Cup, Ball... Scottish League premier division and Tennants Scottish Cup... for 75 minutes in the match (Must have played for 45 minutes in the match)

POINTS AWARDED			
Goalkeeper		Striker	
Keeps clean sheet (per half)**	+3 points	Scores goal	+2 points
Saves goal	+2 points	All players	+1 point
Saves penalty	+4 points	On winning side	+1 point
Full back/Central defender	+2 points	Appearance	+1 point
Keeps clean sheet*	+3 points	Scores last goal	+1.0 bonus
Saves goal	+4 points	Manager	+1 point
Midfield player	+2 points	Wins	+3 points
Keeps clean sheet*	+2 points	Draws	+1 point
Saves goal	+3 points		
POINTS DEDUCTED			
Goalkeeper		Striker	
Concedes goal	-2 points	Concedes penalty	-1 point
Full back/Central defender	-1 point	Misses penalty	-1 point
Concedes goal*	-1 point	Saves own goal	-1 point
All players		Manager	
Sort of	-3 points	Team losses	-1 point

\*\* Must have played a complete half in the match to earn +3 points \*Must have played for 75 minutes in the match \*Must have played for 45 minutes in the match

## IT'S NOT TOO LATE TO ENTER ITF

**£1,000, a signed Mitre football and a Mitre Sports bag, and tickets to a premier league match of your choice can be won every month, plus the chance to win £10,000 in a separate FA Cup League so enter the ITF now.**

The manager of the month can be won by any team, no matter where it is in the overall ITF league. The prize simply goes to the person whose team scores the highest points in any one month. If you are a student or a woman (18 or over) you may also enter the appropriate mini-league, while under-18 year olds enter the Youth league. These all carry separate monthly prizes.

By entering the ITF, your team will automatically be entered into a separate FA Cup league. Your players will earn you points for the FA Cup league (Littlewoods EA Cup and Tennants Scottish FA Cup) as well as the main ITF league.

Remember the earlier you register, the more transfers your team will be allocated.

## HOW TO ENTER

Enter to ITF via The Times are now by phone only, on

**0891 405 011**

From the Republic of Ireland only +44 990 400 308



# Your full guide to ITF players and transfers

Like the stock market, even your best gilt-edged ITF investments can bring a surprisingly poor return

It has been an uncomfortable few weeks for investors. A wobble on the Far East markets, and those building society windfalls start to diminish in value from a down-payment on a BMW to a cash offer on a tenth-hand Mini. As they say, shares can go down as well as up.

This weekend demonstrated that the same is true of ITF. Entrants with Manchester United players, in particular, may find that previously gilt-edged investments have somewhat tarnished. Up to Saturday, Peter Schmeichel, the goalkeeper, was a consistent scorer of points: three for every goalless half, of which there were plenty, as the United forwards kept visitors to Old Trafford busy at the other end.

All very well when Barnsley and Sheffield Wednesday were being thrashed; but Sunday's visit to Highbury, which ended in a 3-2 defeat for Alex Ferguson's team, was also an unpleasant surprise for ITF managers with Schmeichel in their teams. An overall score of minus five (one for an appearance, but minus two for each goal conceded) is a most untypical Schmeichel score.

Dennis Irwin, the full-back, was not playing as a result of a notorious tackle last Wednesday (so should be transferred if possible), but he finds his points score (20) only one point higher than it was on September 2.



Walter: unfamiliar pleasure of a clean sheet and victory this week

Barnsley defence and the Red Sea were inevitable.

They used to sing "You'll never beat Des Walker" during Walker's heyday at Nottingham Forest, but most other players in the ITF lists have managed it so far. Walker had the unfamiliar pleasure of a clean sheet and a victory this weekend, but he is still some way below his mid-September total.

The ITF scoring system makes it difficult for midfield players or forwards to lose points, but Savo Milosevic managed it last week with no goals and a yellow card in Villa's defeat by Chelsea.



NICK SZCZEPANIK

Highbury, Sunday: Schmeichel ended with a most untypical minus five points



IN

10702	Jonathon Gould	Celtic	£3.5m
12702	Paul Jones	Southampton	£1.0m
20603	Frank Sinclair	Chelsea	£2.0m
21004	James Smith	Crystal Palace	£1.5m
21103	Gary Rowett	Derby County	£1.5m
31904	Spencer Prior	Leicester City	£2.0m
40705	Paul Lambert	Celtic	£3.0m
40904	Paul Telfer	Coventry City	£1.5m
41804	Bruno Ribeiro	Leeds United	£2.5m
51502	Jim Hamilton	Hearts	£3.0m
51602	Steve Crawford	Hibernian	£3.0m
52004	Michael Owen	Liverpool	£4.5m
52704	Kevin Davies	Southampton	£3.5m

OUT

50601	John McGinley	Bolton Wanderers	£2.0m
62501	David Platt	Sheffield Wednesday	£1.0m

HOW TO MAKE A TRANSFER

YOU MAY transfer as and when you wish according to your team transfer allowance. If a player or manager moves teams during the season, it may affect the composition of your team. You may adjust your team by using the transfer system to avoid missing out on points.

EACH TEAM that was entered at the start of the season was allocated 60 transfers for the season and each team registering after that date has its number of transfers reduced by three per week up to December 13. All teams registered before noon that day will be allocated an extra 20 transfers. Teams registered after noon on December 13 will be allocated 20 transfers for the rest of the season.

THE LINE is open now and will remain open for the rest of the season. You may only make transfers by using a Touch-Tone (DTMF) telephone (most push-button telephones with a \* and a hash key are Touch-Tone). You will need ten digits for your PIN which you will have to tap in (not speak). Follow the simple instructions and tap in the five-digit codes of the players that you are transferring.

YOU MAY make up to four transfers per call but may make as many calls as you wish to achieve the required amount of transfers.

TRANSFERS made before 12 noon on any day will become effective for matches starting after that time. Transfers made after 12 noon will become effective for matches starting after 12 noon the following day.

YOUR NEW player only starts to score points for you when his transfer is registered. The current score of the player transferred out remains part of your team score but he then ceases to score for you.

CALLS COST 50p per minute and calls from a telephone box cost approximately twice as much.

Transfer number: 0891 884 628.  
Outside the UK: +44 990 200 538.

Code	Name	Team	Cost (£)	Week	Total
10101	J Leighton	Aberdeen	2.00	-9	-11
10201	D Seaman	Arsenal	5.00	1	47
10301	M Boscich	Aston Villa	3.00	2	28
10401	D Watson	Barnsley	1.00	-7	-34
10501	T Flowers	Blackburn R	3.50	-2	-34
10601	K Brannagan	Bolton W	1.50	-6	18
10701	S Kerr	Celtic	4.00	0	0
10801	E De Goey	Chelsea	3.00	3	32
10901	S Ogrizovic	Coventry City	1.50	-3	27
11001	C Nash	Crystal Palace	0.25	0	0
11002	K Miller	Crystal Palace	2.00	2	29
11101	M Poom	Derby County	1.50	-7	24
11201	S Dykstra	Dundee United	2.00	8	8
11301	I Westwater	Dunfermline	1.00	8	-10
11401	N Southall	Everton	2.00	-5	6
11501	G Rouse	Hearts	1.50	8	39
11601	C Reid	Hibernian	1.50	0	0
11701	D Lakovic	Kilmarnock	1.00	0	-6
11801	N Martyn	Leeds United	3.50	-1	37
11901	K Keller	Leicester City	2.50	0	38
12001	D James	Liverpool	3.50	8	32
12101	P Schmeichel	Manchester Utd	5.00	-6	62
12201	S Howie	Motherwell	1.00	0	0
12301	S Given	Newcastle Utd	4.00	-3	17
12401	A Goram	Rangers	5.00	8	17
12501	K Pressman	Sheffield Wed	2.00	8	-18
12601	M Taylor	Southampton	0.50	0	0
12801	A Main	St Johnstone	0.50	-3	13
12901	I Walker	Tottenham H	3.00	-4	24
12901	L Milosavljevic	West Ham Utd	2.00	0	7
13001	N Sullivan	Wimbledon	2.50	0	32
20201	L Dixon	Arsenal	3.00	0	11
20202	N Winterburn	Arsenal	3.00	0	25
20203	E Pett	Arsenal	3.00	0	13
20301	S Stanton	Aston Villa	3.00	0	11
20302	A Wright	Aston Villa	3.00	0	13
20303	S Grayson	Aston Villa	2.50	0	12
20304	F Nelson	Aston Villa	2.00	0	8
20401	N Eaden	Barnsley	0.50	-3	-8
20402	N Thompson	Barnsley	0.50	0	-8
20403	D Barnard	Barnsley	1.00	0	-5
20502	J Kenna	Blackburn R	2.50	0	25
20503	P Valery	Blackburn R	2.50	0	8
20601	N Cox	Bolton W	2.00	0	3
20602	M Whitlow	Bolton W	1.50	0	-3
20603	R Elliott	Bolton W	2.00	0	4
20701	T Boyd	Celtic	3.50	-1	24
20702	T McGinley	Celtic	3.50	0	19
20703	J McNamara	Celtic	4.00	0	16
20801	G Le Saux	Chelsea	3.00	1	25
20802	D Petrescu	Chelsea	4.00	1	25
20803	C Babayaro	Chelsea	2.00	1	9
20901	D Burrows	Coventry City	1.00	0	0
20902	B Burrows	Coventry City	1.00	0	0
20903	M Hall	Coventry City	1.50	-1	14
21001	D Gordon	Crystal Palace	1.50	-1	7
21002	M Edworthy	Crystal Palace	1.50	-4	11
21101	C Powell	Derby County	1.00	0	0
21102	D Yates	Derby County	2.50	-2	-1
21401	A Hinchcliffe	Everton	1.50	-2	2
21402	E Barrett	Everton	1.50	-3	-2
21403	T Phelan	Everton	1.50	5	7
21501	G Locke	Hearts	1.50	0	-1
21701	D Kerr	Kilmarnock	2.50	-1	15
21801	G Kelly	Leeds Utd	2.50	-3	14
21802	D Robertson	Leeds Utd	1.50	0	25
21902	S Guppy	Leicester City	4.00	5	17
22001	S Bjornbye	Liverpool	3.00	1	0
22002	J McAteer	Liverpool	3.00	5	11
22003	R Jones	Liverpool	4.00	0	20
22004	D Irwin	Manchester Utd	3.50	-2	26
22005	G Neville	Manchester Utd	3.50	-3	18
22006	P Neville	Manchester Utd	3.00	-1	12
22201	S Watson	Newcastle Utd	2.00	0	14
22202	W Barton	Newcastle Utd	2.00	-1	16
22303	J Berrisford	Newcastle Utd	3.00	0	6
22304	S Pearce	Newcastle Utd	3.00	5	14
22401	A Cleland	Rangers	3.00	0	16
22402	S Stensness	Rangers	2.00	-1	-15
22501	P Blondeau	Sheffield Wed	2.00	-5	-12
22502	J Nolan	Sheffield Wed	1.00	-1	15
22701	J Dodd	Southampton	0.75	1	3
22702	F Benell	Southampton	0.75	0	2
22703	S Charlton	Tottenham H	2.00	-3	-3
22801	C Wilson	Tottenham H	2.00	-3	-3
22802	J Edinburg	Tottenham H	2.00	-3	-3
22803	S Carr	West Ham Utd	3.00	0	0
22901	J Dicks	West Ham Utd	1.50	-1	-2
22902	A Impey	Wimbledon	2.00	0	2
22903	S Thatcher	Wimbledon	2.00	0	3
23002	K Cunningham	Wimbledon	2.00	0	1
23003	A Kimble	Wimbledon	2.00	0	1
30101	B O'Neill	Aberdeen	2.00	-4	-18
30201	T Adams	Arsenal	3.50	0	15
30202	M Keown	Arsenal	3.50	0	0
30203	G Grimandi	Arsenal	2.00	0	15
30204	S Bould	Arsenal	3.00	2	11
30301	G Southgate	Aston Villa	3.50	0	6
30302	U Ehiogu	Aston Villa	3.50	0	14
30401	A De Zeeuw	Barnsley	1.00	-4	-21
30402	A Moses	Barnsley	0.50	-5	-20
30403	M Appleby	Barnsley	0.50	0	-2
30502	C Hendry	Blackburn R	3.00	0	22
30504	S Henchoz	Blackburn R	2.50	0	13
30505	T Pedersen	Blackburn R	2.00	0	0
30601	G Taggart	Bolton W	1.50	0	5
30602	G Bergsson	Bolton W	1.00	-4	4
30603	C Fairclough	Bolton W	1.00	0	0
30604	M Fish	Bolton W	1.50	-4	1
30701	E Annoni	Celtic	1.50	0	1
30702	M Mackay	Celtic	3.00	0	2
30703	A Stubbs	Celtic	3.00	0	22
30704	M Rieper	Celtic	3.00	0	21
30801	F Leboeuf	Chelsea	3.00	0	24
30802	M Duberry	Chelsea	3.00	0	8
30803	S Clarke	Chelsea	2.50	0	11
30804	B Lambourde	Chelsea	2.50	0	-1
30901	L Dahl	Coventry City	1.50	0	0
30902	R Shaw	Coventry City	1.50	-1	15
30903	P Williams	Coventry City	1.50	-2	2
31001	A Roberts	Crystal Palace	1.50	0	8
31002	A Linighan	Crystal Palace	0.75	0	7
31003	D Tuttle	Crystal Palace	0.75	0	0
31101	I Stimeac	Derby County	2.50	0	7
31102	J Larssen	Derby County	1.50	-3	10
31201	S Pressley	Dundee Utd	2.00	5	10
31301	G Shields	Dunfermline	1.50	5	-8
31401	S Bilic	Everton	2.50	-3	-10
31402	D Watson	Everton	2.00	0	2
31501	D Weir	Hearts	2.00	5	22
31601	J Hughes	Hibernian	2.00	-1	-6
31801	D Wetherall	Leeds Utd	2.00	-1	23
31802	G Hall	Leeds Utd	2.00	0	11
31803	R Molenaar	Leeds Utd	2.00	0	8
31804	L Radcliffe	Leeds Utd	1.50	-1	9
31901	M Elliott	Leicester City	3.00	0	34
31902	P Keenmark	Leicester City	2.00	0	19
31903	S Walsh	Leicester City	1.50	0	25
32001	M Wright	Liverpool	3.00	0	5
32002	D Kvarme	Liverpool	3.00	5	10
32003	B Kvarme	Liverpool	3.00	5	16
32004	H Berg	Manchester Utd	3.50	-2	21
32101	D May	Manchester Utd	3.50	0	0
32102	G Pallister	Manchester Utd	3.50	-2	27
32201	P Albist	Newcastle Utd	3.00	-2	8
32202	D Pearce	Newcastle Utd	3.00	-1	8
32303	S Howey	Newcastle Utd	2.00	0	1
32304	A Platone	Newcastle Utd	3.00	-1	7
32401	S Ponnir	Rangers	3.50	5	25
32402	J Bjorklund	Rangers	3.50	5	20
32403	L Amoroso	Rangers	3.50	0	0
32501	D Walker	Sheffield Wed	2.00	5	-7
32502	J Newson	Sheffield Wed	2.00	4	-5
32503	P Atkinson	Sheffield Wed	2.00	1	-7
32701	R Dryden	Southampton	1.00	0	0
32702	C Lundekvam	Southampton	1.00	0	5
32703	K Monkou	Southampton	1.00	0	9
32801	S McCuskey	St Johnstone	0.50	0	4
32802	J Campbell	Tottenham H	3.00	-3	0
32803	J Scalls	Tottenham H	2.50	-3	3
32804	R Vega	Tottenham H	2.00	0	-4
32805	C Calderwood	Tottenham H	2.00	-2	4
32901	R Ferdinand	West Ham Utd	2.50	-2	4
32902	R Hall	West Ham Utd	2.00	0	0
31403	D Unsworth	West Ham Utd	2.00	1	-2
32903	S Potts	West Ham Utd	1.50	-1	4
32904	I Pearce	West Ham Utd	2.00	-2	9
33001	C Perry	Wimbledon	2.50	0	9
33002	D Blackwell	Wimbledon	2.50	0	8
40101	E Jess	Aberdeen	2.00	1	9
40102	P Bernard	Aberdeen	2.00	0	7
40201	M Overmars	Arsenal	5.50	2	33
40202	P Vieira	Arsenal	3.50	5	26
40203	S Hughes	Arsenal	2.00	0	1
40204	R Parhour	Arsenal	2.50	2	29
40301	D Platt	Arsenal	1.50	4	14
40302	M Draper	Aston Villa	3.00	0	20
40303	I Taylor	Aston Villa	2.50	0	24
40401	N Redfern	Barnsley	3.00	0	30
40402	E Tinkler	Barnsley	2.00	0	14
40403	D Sheridan	Barnsley	1.00	1	11
40404	M Bullock	Barnsley	0.50	1	12
40501	J Wilcox	Blackburn R	3.00	0	13
40502	B McKelvey	Blackburn R	3.00	2	13
40503	T Sherwood	Blackburn R	3.00	5	21
40504	G Filcott	Blackburn R	3.00	2	18
40601	A Thompson	Bolton W	2.50	0	21
40602	S Sellers	Bolton W	2.00	0	11
40603	P Frandsen	Bolton W	2.00	0	15
40604	M Johansen	Bolton W	2.00	0	2
40605	J Poffock	Bolton W	2.00	1	15
40701	A Thom	Celtic	4.50	0	15
40702	P O'Donnell	Celtic	3.00	0	7
42503	R Binkler	Celtic	3.00	0	14
40704	C Bury	Celtic	3.00	0	25
40801	D Wise	Chelsea	4.00	2	18
40802	R Di Matteo	Chelsea	4.00	2	21
40803	E Newton	Chelsea	1.50	2	9
40804	G Poyet	Chelsea	3.00	0	28
40901	G McAllister	Coventry City	2.50	1	19
40902	T Solvit	Coventry City	1.50	0	17
40903	J Salako	Coventry City	1.50	0	15
41002	S Rodger	Crystal Palace	1.00	1	16
41003	D Pitcher	Crystal Palace	0.25	0	0
41004	P Warhurst	Crystal Palace	1.50	0	18
41005	A Lombardo	Crystal Palace	3.00	1	21
41101	A Asanovic	Derby County	2.50	4	6
41102	S Eranio	Derby County	2.50	0	



## NEWS

## Louise Woodward freed by judge

Louise Woodward was freed from jail after her conviction for murdering eight-month-old Matthew Eappen was reduced to involuntary manslaughter. Judge Hillier B. Zobel cut a mandatory life sentence to one of 279 days — the time she has already spent in prison. Before doing so, he said: "I do not denigrate Matthew Eappen's death or his family's grief. It is in my judgment time to bring the judicial part of this matter to a compassionate conclusion." Pages 1, 3, 12

## Labour must give back £1.5 million gift

Labour was ordered by the new Public Standards watchdog to return a £1.5 million donation from the head of Formula One racing. The decision followed 72 hours of pressure on Labour to confirm its financial links after Grand Prix were excluded from the Government's ban on tobacco sponsorship. Page 1

## One euro, two views

Tony Blair promised to be a leader in Europe as he prepared to deliver Labour's most enthusiastic endorsement of the European single currency. But William Hague likened supporters to "lemmings". Page 1

## Japanese apology

The Anglican church in Japan has issued a public apology for its "sin" in having allowed "the war of aggression by Japan". Page 4

## Stabbed in train

A woman stabbed in the head on a train managed to walk to an adjoining carriage to seek help with the 5in blade still embedded up to the hilt. A court was told. Page 5

## Fewer salmon

An ambitious plan to restock the Thames with salmon after 140 years is being threatened by drought and higher water temperatures. Page 6

## Silent cyberpets

Todd Green, 10, has come up with a solution to one of the biggest problems facing young people — how to keep cyberpets silent yet alive while their owners are at school. Page 7

## Schools named

Ministers promised to carry on "naming and shaming" the worst schools despite teachers' claims that the approach was a political stunt. Page 8

## Wooden 'Stonehenge' temple found

Archaeologists have discovered traces of a huge and elaborate wooden temple from 5,000 years ago. It was once one of the most important ceremonial sites in England, comparable to Stonehenge. Nine concentric rings of oak pillars once stood on the site at Stanton Drew, Somerset, surrounded by an enormous ditch. Page 9

## Shoppers 'duped'

Shoppers are being duped by the food industry, according to reports published by a leading retailer and the Consumers' Association. Page 13

## Shelley story

A leading British publisher was hoping to negotiate the rights to a long-lost children's story by Mary Shelley that was recently discovered in Italy. Page 14

## Clinton blow

President Clinton suffered a devastating setback to his foreign and economic policy when he failed to win authority from Congress to strike international trade deals. Page 15

## Peace timetable

Benjamin Netanyahu, the Israeli Prime Minister, unveiled plans to seek co-operation from Tony Blair to accelerate the timetable of peace talks with the Palestinians. Page 16

## U2 flights go on

The United States resumed uninterrupted U2 reconnaissance flights over Iraq as Washington struggled to muster support at the United Nations for a tough response to Iraq's defiance. Page 17

## Frontier hope

President Yeltsin and Jiang Zemin, his Chinese counterpart, ended a long-running border dispute that in the late Sixties almost led to nuclear war. Page 19



The Duke of York with Peter Reid, the manager of Sunderland Football Club, at the official opening of the club's Stadium of Light

## British Telecom

British Telecom is to sell its 20 per cent stake in MCI for £4.1 billion after the US telecom group bowed to a fresh bid from WorldCom, a rival group. Page 29

## Levitt

The Department of Trade and Industry has abandoned attempts to seek the extradition of the disgraced financial services salesman but said he will be arrested if he returns to Britain. Page 29

## Engineering: BTR

Engineering: BTR, the engineering giant, made the first significant disposal of its recently announced restructuring plan, selling the bulk of its polymers division for £515 million. Page 29

## Markets

Markets: The FT-SE 100 rose 42.5 to 4806.8. Sterling fell to 102.7 after falling from \$1.6943 to \$1.6872 and DM2.8901 to DM2.8875. Page 32

## Rugby union

There are five new caps in the England team to play Australia including two from Bath, Matt Perry at full back and Andy Long at hooker. Page 56

## Motor racing

Michael Schumacher and the McLaren and Williams teams, appear today before a disciplinary hearing convened by the world governing body. Page 56

## Football

Roy Evans of Liverpool, is considering bidding for a new centre back either Olexandr Golovko, of Dynamo Kiev, or Erik Hofmann, of Rosenborg. Page 52

## Tennis

Greg Rusedski has been drawn in a group with Pete Sampras, Patrick Rafter and Carlos Moya in the ATP world championship. His first match is against Rafter. Page 54

## Latin lover

Starting his first London residency, the pianist Danilo Perez is bringing the sunshine of his native Panama into the world of contemporary jazz. Page 38

## Voice choice

If Jesse Norman disappointed in Manchester, the combined choirs of King's and St John's Colleges more than compensated in Cambridge. Page 38

## Life or death

Two new exhibitions deal in different ways with mortality — *The Quick and the Dead* at the Royal College of Art, and *Holbein's Ambassadors* at the National Gallery. Page 39

## Class act

The offer of a plum role at the National Theatre has temporarily deprived television drama of one of its most familiar faces — that of Patrick Malahide. Page 40

## TOMORROW

## IN THE TIMES

**HOMES**  
Battle stations: Rachel Kelly on the conservation clash over one of Britain's finest naval landmarks

**INTERFACE**  
Interface faces the 11 projects that won this year's British Computer Society medals

## Spice split

What lies behind the Spice Girls' decision to split from their manager? Mike Pattenden investigates. Page 21

## Mystery illness

The novelist Piers Paul Read reveals how he was plagued by an illness that left him feeling as though he had been "beaten black and blue". Page 20

## Hit squad

The right to hit my children would leave me feeling ashamed and humiliated, says Rachel Morris. Page 20

## Be prepared

Brian Collett explains how exporters selling to EU countries adopting the single currency face trouble. Page 41

## Too cook

"The only time she showed raw emotion was when she collapsed at the guilty verdict... if she had shown half the hysteria of some of her supporters, perhaps the verdict would have been different." Victoria McKee on Louise Woodward. Page 43

## What can be done for Algeria?

In the middle are the people. The Algerian population is intoxicated by violence, it is saturated with terror, exhausted by brutality. It is a martyred population. — *Le Monde*

Preview: Who would marry a professional footballer? *Cutting Edge* (Channel 4, 9pm). Review: Joe Joseph on the magic ingredient in sporting success. Pages 54, 55

## Party prix

Tony Blair is now feeling for the first time what it is like to be in the middle of major allegations of sleaze. Page 23

## Sceptics at the CBI

If the Chancellor is not to be allowed to join EMU in this Parliament, he seems determined instead to bring it in by stealth. Page 23

## Interests of justice

The outcome to this trial reached last night — provisional as it remains — will strike many, perhaps most, as still unsatisfactory. But it is much better than it looked ten days ago. Page 23

## LIBBY PURVES

There is a strident intolerance about the pub crowd in Eton, with its yellow ribbons and balloons and its convenient alliance with an au pair agency rightly terrified of an Eappen lawsuit. Sentimentality and self-interest have merged into a mob mentality, quite seriously nasty. Page 22

## ANATOLE KALETSKY

The only reasonable conclusion to draw is that most companies are either indifferent to EMU, or have taken conscious decisions to stay on the fence. Page 22

## ANNA SOMERS COCKS

What do you do if something is unrecognisable? Damien Hirst's shark is less than five years old but already it looks shabby. Page 22

## PETER RIDDELL

A government that was elected to clean up politics must be seen to have clean hands. But this has been undermined by its mishandling of the decision to exempt Formula One from the ban on tobacco sponsorship. Page 2

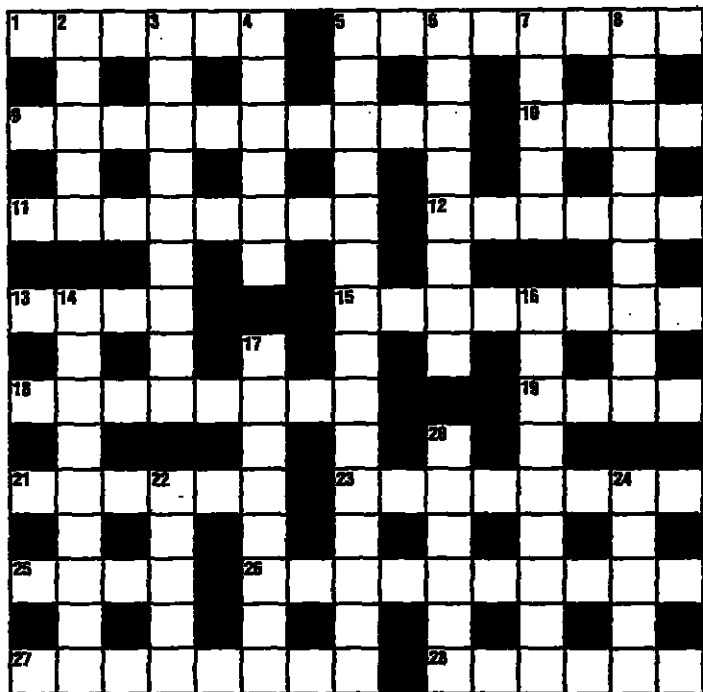
## Harold Plenderleith, museum conservator

Frank Schaufuss, baller dancer; Eric Neill, former head of Summerhill. Page 25

## Oxford fees: legal aid; pain and the terminally ill; remembrance; tobacco sponsorship

Page 27

## THE TIMES CROSSWORD NO 20,634



- ACROSS**
- 1 Horseman about to enter section of track and run (6).
  - 5 Hesitation to add to shade mostly found in colourful range (5).
  - 9 Bunter, by its nature, keeping one to standard (10).
  - 10 Reluctant to remove head of clergy (4).
  - 11 Drove off regular beat in light of traffic hold-up (8).
  - 12 Atlas, perhaps, right for one who wanders (6).
  - 13 American Indian dance with single accompaniment (4).
  - 15 Representative signs books, surrounded by people (8).
  - 18 Fetching drink to be distributed around merry board (8).
  - 19 Chills South with lead of diamonds (4).
- DOWN**
- 2 Tree planted in Matabeleland (5).
  - 3 Designer of fashions more comfortable around the midriff (9).
  - 4 Female recruited to recycle waste (6).
  - 5 Observe the formalities and rise as soon as royal money is distributed (5,2,8).
  - 6 Severely condemn river transport of inferior quality (8).
  - 7 What makes a hobby gripping? (5).
  - 8 Where colours may be fixed in bananas? (2,3,4).
  - 14 Speculator taken in by mature operator with experience (3,6).
  - 16 Nightwardman usually at No. 10, perhaps (4-5).
  - 17 He doesn't appear overjoyed in a social gathering (8).
  - 20 Labels for tailors (6).
  - 21 Scholars in charge of foundation (5).
  - 24 It turns up on the tenth (5).

Solution to Puzzle No 20,633

INNOCENCE DIMID  
NYA ENA AAI  
SOLAR MAGISTRAL  
UCB ELKBU  
LINCUS INSTANT  
A AIS KE  
THICKASTHIVES  
EME XS O  
APPRENTICESHIP  
SE AN SUBORO  
PUU A ON  
PROSPERED BRACE  
UPA E LTN  
RISKY LARGENIST

## Latest Road and Weather conditions

UK Weather - All regions 0336 444 010  
UK Roads - All regions 0336 401 410  
Road 102 0336 401 740  
Road 103 0336 401 740  
Road 104 0336 401 740  
Road 105 0336 401 740  
Road 106 0336 401 740  
Road 107 0336 401 740  
Road 108 0336 401 740  
Road 109 0336 401 740  
Road 110 0336 401 740

## Weather by Fax

0336 444 010  
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## World City Weather

133 destinations world wide  
0336 444 010  
0336 401 410  
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0336 401 740  
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## Motorway

0336 444 010  
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## Car repairs by fax

0336 444 010  
0336 401 410  
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## Sun disc

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## Full moon November 14

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## NEWSPAPERS SUPPORT RECYCLING

0336 444 010  
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## FLIGHT SAVERS

0336 444 010  
0336 401 410  
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## LONDON TO PARIS

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## LONDON TO COPENHAGEN

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0336 401 410  
0336 401 740  
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0336 401 740

## LONDON TO EDINBURGH

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
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## General: Scotland will be cloudy and

0336 444 010  
0336 401 410  
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## North Ireland will be bright with a mix of sunny

0336 444 010  
0336 401 410  
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## South Wales, western and southern England will

0336 444 010  
0336 401 410  
0336 401 740  
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## start mainly dry, with showers near the

0336 444 010  
0336 401 410  
0336 401 740  
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## coast spreading inland later.

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
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## London, E Anglia, E Midlands, E

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0336 401 410  
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## England, W Midlands, Central S

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0336 401 410  
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0336 401 740  
0336 401 740

## England, NE England: sunny intervals

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740

## and scattered showers. A moderate

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740

## southwest breeze. Max 10C (50F).

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
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0336 401 740

## SE England, Central S England,

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740

## Channel Isles, SW England: sunny

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740

## intervals and showers, heaviest on

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740

## coasts and hills. A moderate northwesterly

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740

## wind. Max 10C (50F).

0336 444 010  
0336 401 410  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740  
0336 401 740

## Borders, Edinburgh &amp; Dundee: a

0336 444 010  
0336 401 410  
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# THE TIMES

INSIDE SECTION  
**2**  
TODAY



**BUSINESS**  
Global outlook  
for gold is  
none too bright  
**PAGE 33**



**ENTERPRISE**  
Booking a career  
after being  
left on the shelf  
**PAGES 43**



**SPORT**  
Woodward's new  
broom sweeps  
out old England  
**PAGES 51-56**

**TELEVISION  
AND  
RADIO**  
**PAGES  
54, 55**

BUSINESS EDITOR Patience Wheatcroft

TUESDAY NOVEMBER 11 1997

## BT makes big profit even though defeated in world's biggest takeover WorldCom pays \$37bn for MCI



Bonfield: penalty fee

**FROM OLIVER AUGUST  
IN NEW YORK**  
WORLDCom has secured victory in its battle for MCI with the world's biggest ever takeover bid. Its revised \$37 billion offer won the support of MCI executives to defeat a rival \$28 billion bid from GTE.

Victory was handed to WorldCom when British Telecom agreed to sell its 20 per cent MCI stake to WorldCom for \$7 billion in cash, yielding BT a \$2.25 billion pre-tax profit on its investment. BT, of which Sir Peter Bonfield is chief executive, will also receive a \$465 million penalty fee for the break-up of its proposed merger with MCI. MCI WorldCom will be

the second-largest US telecommunications group after AT&T and the world's largest Internet service provider. It will offer a full range of communications services in the US and 200 other countries. The takeover dwarfs the previous two record deals: Nynex-Bell Atlantic and RJR Nabisco, worth \$25 billion.

Bernie Ebbers, the WorldCom chairman who will be chief executive of MCI WorldCom, said he expects to achieve cost savings of \$20 billion as well as open up significant new revenue opportunities. WorldCom will assume \$5 billion of MCI debt. The companies hope the deal can be completed by mid-1998. However, regulatory approval is by no means

certain, although a confident Mr Ebbers said: "There are no circumstances in which the transaction could be derailed." He claimed that his team had identified new synergies after starting detailed talks with MCI and inspecting MCI's books. He said: "The increase in the price has also to do with the cash that BT gets. The number of WorldCom shares given to MCI shareholders stays the same." Bert Roberts, the MCI chairman who will be chairman of MCI WorldCom, said with regards to the cost savings: "We will make great gains just from the difference in hotel rates in London and Jackson, Mississippi." Mr Roberts said he had informed

## Deal hailed as good for customers and investors

By Raymond Snoddy, Media Editor

USING an appropriately high-quality video link from the US, Sir Iain Vallance, BT chairman, and Sir Peter Bonfield, chief executive, almost purred with pleasure yesterday over the WorldCom-MCI deal.

"We think the result," Sir Peter said, represents "a very good deal for shareholders and for our customers as well".

The top BT management emphasised the instant \$465 million (£275 million) break-up fee plus \$7 billion, or \$51 per share, for BT's 137 million shares in MCI. BT shares rose 11p to 465p on the news.

Sir Peter emphasised that the pre-tax gain of about \$2.7 billion for BT, including the break-up fee, vindicated BT's original decision to invest in MCI at \$32 a share. But City analysts asked whether BT had simply taken the money and run at the expense of an international strategy.

Sir Peter and Sir Iain were emphatic that Concert Communications Services, the joint venture between BT and MCI specialising in corporate communications, left the British group in a strong position. It had a non-exclusive five-year distribution deal in the US with MCI, but now also had the freedom to talk to other possible US partners. Sir Iain

said BT had already been approached by other US companies. "We will now be looking at investments in the US and other parts of the world," said Sir Iain, who also did not rule out other options such as share buybacks if they were in the best interests of shareholders at the time.

Sir Peter confirmed yesterday's City speculation that Cable & Wireless might be a possible partner, but added that it had proved impossible to put together a workable deal in discussions last year.

He added: "We parted as good friends. Whether there are other opportunities we can do with them we shall just have to see."

The BT executives argued that departing from the fray was inevitable once a strong counter-bid came from a US telecommunications company because it could have far greater synergies and far greater savings than an overseas operator such as BT.

Sir Peter said: "We would not want to have got into the bidding at that sort of level. It would not have been in our shareholders' interest and this deal is."

City analysts speculated that a likely outcome now seemed to be that BT would find another American partner to work with in the US.



The winner: Bernard J. Ebbers, president and chief executive officer of WorldCom

## How BT got its wires crossed in phone war

By Fraser Nelson

THESE are the key dates in BT's on-off, off-on bid to form a transatlantic telecommunications group. Thwarted in its efforts to go global, BT will bank a \$2.25 billion profit on its MCI investment and suffer a \$465 million severance fee.

June 2, 1993: Sir Iain Vallance, executive chairman of British Telecom, secures victory in his three-year campaign to break into America by setting up a joint venture with MCI — then, as now, the second-largest long-distance carrier in the US. It agrees to pay \$4.3 billion (then £2.82 million) for a 20 per cent stake, and to swap board members.

November 15, 1995: Concert, a joint venture between BT and MCI, is born. It was set up to help both companies conquer overseas markets.

May 2, 1996: After merger talks with Cable & Wireless, BT pulls out of the £33 billion deal in a row over price.

July 16, 1996: At BT's annual meeting, Sir Iain heaps praise on its Concert joint venture, which by then had won 2,500 major customers.

August 1, 1996: MCI holds merger talks with GTE, America's third-largest local telecoms company. They come to nothing.

November 1, 1997: BT proposes a \$20 billion (£12.1 billion) merger with MCI. Concert, the joint venture's name, is to be adopted for the whole group. Sir Iain denies the MCI deal is second-best to Cable & Wireless.

June 23, 1997: BT recruits Bill Cockburn, then chief executive of WH Smith, as managing director of BT's UK operations. He is not offered a place on the Concert board.

## Managers buy polymers division of BTR for £515m

By Adam Jones

BTR made the first significant disposal of its restructuring yesterday, selling the bulk of its polymers division for £515 million in the second-largest UK management buyout in 1997. The 33 businesses sold made an operating profit of £65 million on sales of £471 million in 1996, and have net assets of about £180 million.

BTR shares edged ahead from 200p to 201p. The deal is the second-largest MBO of the year for Britain's venture capitalists, beaten only by a healthcare purchase by Cinven. This is the 19th MBO of a BTR business since the start of 1995, according to the Centre for Management Buyout Research at Nottingham University.

The buyout vehicle is called UniPoly, and the deal is being funded by Legal & General Ventures and Japan's Fuji Bank. Legal

& General and management are providing £175 million of equity funding. The insurer is also contributing another £50 million mezzanine funding, with £395 million senior debt from Fuji. Six managers will own 18 per cent of the equity.

Lawrie Cant, former head of the polymer products division, becomes chief executive of UniPoly, which will aim for a stock market listing in three to five years.

## DTI abandons attempts to bring Levitt back from US

By Jon Ashworth

THE Department of Trade and Industry (DTI) has abandoned attempts to seek the extradition of Roger Levitt, the disgraced financial services salesman — but said he would be arrested should he return to Britain.

The decision, on the eve of a High Court hearing into the legalities of the extradition move, was disclosed in Parliament yesterday. Mr Levitt, who moved to New York with his family last year, was arrested and subsequently released on \$1 million bail, after it emerged that the alleged offence — furnishing false information to DTI inspectors — was not covered by the US-UK extradition treaty.

Nigel Griffiths, Consumer Affairs Minister, told Parliament that the extradition request had been made on advice from independent counsel. He added: "In the light of arguments presented on behalf of Mr Levitt, my department has reviewed the decision... and concluded that the extradition request... be withdrawn."

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# Beckett to name poor performing industries

By Philip Bassett, Industrial Editor

The Government will today identify key sectors of British industry that need to improve their performance in order to increase the UK's economic competitiveness.

Margaret Beckett, President of the Board of Trade, will detail government studies of seven industrial areas that, for the first time, will make clear their weaknesses as well as praising their strengths.

**Competitiveness UK** - a Benchmark for Business will show that the main companies in Britain suffer in comparison with high-performing firms in other European countries. A White Paper on the issue is planned next year.

Mrs Beckett will tell the Confederation of British Industry's annual conference in Birmingham that while many industrial sectors have great strengths, to ignore their weaknesses would run the risk of seeing no improvements in their performance.

On Britain's £12 billion no-

tor components industry, for instance, the Department of Trade and Industry's analysis will say that "overall levels of productivity performance remain substantially lower" than other countries, with lower levels of investment.

Citing the "relatively poor" performance of the sector, the Government will show that UK companies have been slower than their competitors in responding to market conditions. On printing, the DTI will say that many printers "still rely on old, mechanical processes. In these firms costs are high, skills are limited and marketing poor".

Retailing has seen high investment in new technology, but some UK retailers have been "slow" to expand overseas, unlike foreign retailers moving to the UK.

Semiconductor manufacturing will be particularly praised and the DTI will say that when planned investments come fully on stream, Britain is expected to overtake Germany and become the largest manufacturer of semiconductors in Europe. But the Government will say that the UK's growth in this sector is directly attributable to success in attracting inward investment, mentioning companies such as Siemens.

The sharp criticisms in the DTI's sectoral reports - the others are on chemicals, telecommunications and textiles - are likely to provoke angry responses from sectors keen to defend their record.

Mrs Beckett will also announce the formation of six business-based working parties that will aim to find solutions to long-term problems in business. The groups will focus on short-termism, low productivity, lack of innovation, poor educational standards and low research and development investment.

CBI conference, page 15



Dick Brown, left, chairman, and Graham Wallace, announce doubling of CWC profits

## Sky package offer for all CWC subscribers

By Raymond Snoddy, Media Editor

A PAY-PER-VIEW movie service will be offered to the more than one million subscribers of Cable & Wireless Communications, the largest cable group. Even those who take the cheapest discount service will be eligible.

Headstart, the service, gives customers at least five cable channels, on top of the main broadcast channel, plus a telephone line for £11.99 a month.

Graham Wallace, chief executive of CWC, said the issue was one of those that had to be sorted out in the negotiations with BSkyB before the

two organisations agreed last week to mount a joint launch of 200-channel digital television in the UK next spring. As part of the overall deal CWC will take Sky Box Office, the pay-per-view service that will ensure that viewers are no more than 30 minutes away from seeing any of the top 10-15 films for £2.50 or £3.

Mr Wallace said yesterday that BSkyB, in which News International, owner of *The Times*, has a 40 per cent stake, had wanted to ensure that only subscribers to the premium film channels should be able to view Sky Box Office.

The launch would be phased, although Mr Wallace said that by the year 2000 all CWC subscribers would have the option of digital channels.

Mr Wallace announced that CWC's pre-tax profits for the six months to September 30 had doubled to £65 million before non-recurring items. Operating profit increased by 62 per cent to £123 million and earnings before interest, tax, depreciation and amortisation rose by 23 per cent to £333 million. The share price rose 5p yesterday to 233p.

Tempos, page 32

## Tecs told to repay £5m as NVQs are withdrawn

By Christine Buckley, Industrial Correspondent

TWENTY-EIGHT training and enterprise councils will today be told to repay £5 million to the Government as 1,600 national vocational qualifications are withdrawn.

The Tecs have been summoned to the Department for Education and Employment where Kim Howells, the Education and Employment Minister in charge of training, will tell them that the quality control watchdog for education for the over-16s has vetoed NVQs from a road transport training provider.

The ultimatum from Dr Howells for the Tecs to pay back cash allocated to that provider comes after his pledge last month to crack down on fraudulence and maladministration.

The training provider at the centre of today's move - the Road Transport Industry Training Board Service Ltd (RTITBS) - is under police investigation for alleged fraud. But the Government is thought to be determined to act now to stem the increasing controversy over the mishandling of cash by Tecs which have an annual budget of £1.5 billion of public money. The RTITBS was last year stopped from trading temporarily after an investigation into some of its NVQs was begun the previous year. The business has a training provider subsidiary called Centrex.

Dr Howells decided to demand cash back from the Tecs after the Qualifications and Curriculum Authority, the overseer of standards in training for the over-16s, decided to withdraw 1,600 NVQs in level three motor vehicle maintenance. But it is not clear how many of these NVQs have actually been awarded amid the controversy over maladministration training that has dogged the Tec movement.

Last month Dr Howells singled out Centrex, the central England training provider, for attention - warning that its licence could be removed.

## Chandler challenge to Mayflower

SIR COLIN CHANDLER, Vickers chairman, angrily called on Mayflower to end the shadow-bidding that has followed last week's revelation of a possible hostile bid for Vickers. He said: "A muddle has been created on this matter and Mayflower urgently needs to clarify its position." Lazarus, the adviser to Vickers, has spoken to the Takeover Panel in an attempt to force Mayflower's hand.

However, the Mayflower camp was adamant last night that it would continue to take its time mulling options. Speculation that BMW may mount a bid for Vickers was roundly dismissed yesterday. The German carmaker could still co-operate closely with Mayflower if the car-panels group mounted a successful bid.

## Filofax recovery

FRESH designs helped Filofax, the personal organiser company, to lift interim profits 9 per cent, to £2.24 million in the six months to September 30, setting it on course for a complete recovery at the full year. Robin Field, chief executive, said autumn trading had been strong, although the strength of sterling had cost Filofax about £500,000. It expects to make £6.6 million for the full year, just above its 1996 record. Earnings were 5.4p (4.8p) a share and the interim dividend is 1.65p (1.5p).

## Stratagem amendment

STRATAGEM, the diversified industrial group, has published an amendment to its 1996 accounts in its 1997 accounts after an investigation by the Financial Reporting Review Panel. The panel said that a table in the 1996 accounts showing assets and liabilities of NRC Refrigeration, acquired by Stratagem in January 1996, did not fully meet the requirements of the FRSS accounting standard, which was designed to improve the information provided by companies on takeovers and mergers.

## Ericsson £20m contract

ERICSSON, the Swedish telecoms group, has won a five-year £20 million contract from Rascal Telecom to replace the voice communications network used by UK rail operators. The contract includes the provision of 270 MD110 PBXs, with an initial 15,000 lines being installed in offices, stations and goods yards of the private rail companies. Ericsson will also upgrade Rascal Telecom's AXE public switching platform, which provides interconnection to BT and other network operators.

## Jefferson Smurfit deal

JEFFERSON SMURFIT announced that Smurfit Packaging Corporation, its wholly-owned subsidiary, has completed the sale of its American plastic drum division, to Russell-Stanley Holdings Inc for \$70 million (£41.5 million), payable in cash. The disposal of the plastics division will result in an exceptional profit of more than \$40 million. The plastic drum division consists of five American plant locations with annual sales in 1996 of approximately \$65 million.

## Irish jobs boost

BOSTON SCIENTIFIC, an American healthcare company, has promised to create more than 2,000 jobs in the Irish Republic. The company is investing Ir£40 million (£36 million) in a new factory in Cork for the manufacture of medical instruments, and the expansion of an existing plant in Galway. The 2,050 new jobs will be shared almost equally between the two locations. Boston Scientific opened in Galway three years ago.

### TOURIST RATES

	Bank Buys	Bank Sells
Australia \$	2.52	2.53
Austria Sch	21.33	18.67
Belgium Fr	62.80	57.84
Canada \$	2.494	2.506
Cyprus Cyp£	0.852	0.852
Denmark Kr	11.28	10.88
Finland Mk	9.25	9.25
France Fr	10.1	9.39
Germany Dm	3.75	2.80
Greece Dr	480	441
Hong Kong \$	13.85	12.85
Iceland	128	108
Ireland Pt	1.16	1.07
Israel Sh	0.26	0.26
Italy Lira	2780	2780
Japan Yen	224.22	205.70
Malta	0.676	0.617
Netherlands Gld	3.448	3.183
New Zealand \$	2.85	2.85
Norway Kr	12.38	11.44
Portugal Esc	207.48	285.52
S Africa Rd	8.84	7.88
Spain Ptas	256.26	288.50
Sweden Kr	13.45	12.55
Switzerland Fr	2.50	2.28
Turkey Lira	319500	289722
USA \$	1.701	1.701

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

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This week *The Times*, in association with Penguin Books, gives you the chance to buy up to ten bestselling 20th-century classics for only £1.98 each, including p&p. All you have to do is collect four tokens from the six published in *The Times* this week and complete the order form which will be

published again on Saturday. You can order as many books as you wish but only one of each title. There are ten outstanding works of fiction for you to choose from all of which

will make ideal stocking fillers. They include *Jacob's Room* by Virginia Woolf, *Wide Sargasso Sea* by Jean Rhys and *The Trial* by Franz Kafka.



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A Streetcar Named Desire  
and Other Plays



GEORGE ORWELL  
Animal Farm

LEFT: Blanche Dubois fights the furies of destitution, insult and madness

ABOVE: One of the great modern political allegories



CHANGING TIMES

## Where does Debenhams Shop for its Training?

To keep pace with the ever changing trends of today's fashion world, successful retailers need more than just a grasp of styles and trends. That's why Debenhams chose CIMA when its training needs loomed large, as the source of advice and support to design tailor-made, up-to-the-minute financial management training programmes for its staff, whilst also encouraging greater understanding of its business and customers.

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ROUNDUP

Mer challenge  
Mayflower

**Mayflower** chairman angrily called the shadow-bidding that has followed a possible hostile bid for Vickers. He said he was not interested in this matter. The company's position is "Lazards' hand".

Mayflower camp was adamant last night that it would not make any move to take over Vickers. The German carmaker could not be taken over by Mayflower if the car-maker group

recovery

**Mayflower**, the personal one-man company, has a 1997 profit of £2.24 million in the year to 31 March, up from £1.1 million in 1996. The company's chairman, Sir Colin Vickers, said the company's performance was "very good" although the strength of the pound had helped. It expects to make £2.5 million in 1998, up from £1.5 million in 1997. The company's dividend is 10p per share.

gem amendment

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on £20m contract

**Mayflower** has won a five-year contract from Railtrack to replace the network used by UK rail operators. The contract is worth £20 million. The company's chairman, Sir Colin Vickers, said the company's performance was "very good" although the strength of the pound had helped. It expects to make £2.5 million in 1998, up from £1.5 million in 1997. The company's dividend is 10p per share.

son Smurfit deal

**Mayflower** announced that Smurfit Kappa, a wholly-owned subsidiary, has completed a takeover of the plastic division of Russell & Norrish. The deal is worth £10 million. The company's chairman, Sir Colin Vickers, said the company's performance was "very good" although the strength of the pound had helped. It expects to make £2.5 million in 1998, up from £1.5 million in 1997. The company's dividend is 10p per share.

jobs boost

**Mayflower**, an American headhunter, is said to create more than 2,000 jobs in the company. The company is investing £10 million in a new factory in Cork for the manufacture of electronic components. The company's chairman, Sir Colin Vickers, said the company's performance was "very good" although the strength of the pound had helped. It expects to make £2.5 million in 1998, up from £1.5 million in 1997. The company's dividend is 10p per share.

enhams

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# Smug BT free to ring C&W



## COMMENTARY by our City Editor

A \$2.7 billion profit on a failed takeover is good news in anybody's book. Even if it is at the cost of the whole of your global strategy. The BT fatcats were putting a brave face on it yesterday — even seeming a bit smug. The \$7.5 billion WorldCom paid BT to walk away from MCI will now burn a hole in the pockets of Sir Peter Bonfield and Sir Iain Vallance. And though they hinted there might be a share buyback, the biggest surprise yesterday was that Cable & Wireless's stock only rose a paltry 3½ per cent. BT liked the look of C&W before it set its cap at MCI. Now BT's American engagement is over, what price the oriental and Caribbean attractions of C&W?

And if BT's management has any sense that should be enough. US telecommunications looks like a licence to lose money.

So where does BT go instead? In the UK the regulatory environment may become more liberal with the passing of Don Cruickshank, but that does not mean BT will be allowed to hold onto the sort of dominant stake in the UK cable communications market currently held by C&W. This may make bidding for C&W a great deal more tricky than it was a year ago. In Europe, whatever anyone says about the single market, national interests appear to be thwarting any hopes BT might have to expand. So maybe it should be looking towards Asia and South America, areas in which C&W has somewhat of a foothold.

So C&W looks attractive. But would BT be allowed to have it? As WorldCom showed yesterday — where there is a will, there is a way. BT might persuade the regulators that if it sold C&W's holding in CWC Communications, which owns all the cable interests, it might be allowed to buy the rest of C&W. This would be a great solution for BT.

After all BT does not really want cable interests. It believes it

has the technology that will make cable irrelevant. It may not be allowed to own media assets, but it can make the sort of deals with programme makers that have been struck by the cable company and by BSkyB. A C&W deal would have the advantage of soaking up BT's spare cash, boosting its global ambitions and leaving it free to concentrate on its domestic priority of grinding the cable companies into the dust.

### Sir Colin in the driving seat

It is a bit rich of Sir Colin Chandler to launch an offensive over Mayflower's "muddle" over whether it is going to launch a hostile bid for Vickers. After all, it was Sir Colin who ousted John Simpson's plans for Vickers before the Mayflower boss was ready to push the button. The "muddle" this cre-

ated is exactly what Sir Colin wanted. It is a legitimate tactic of a putative bidder in the hope of derailing the offer before it can be put to shareholders. After all, they might accept it.

Mayflower's misfortune is to be caught up in the contradictory comments of BMW. Bidding for a company twice your size is a sort of 1980s thing to do and would be difficult enough without the recent market turmoil and last week's interest rate rise. Some commentators (though, perhaps critically, not many of Mayflower's institutional investors) think Mayflower needs a strategic partner. And BMW, for whom Mayflower makes the bodywork on Rover's MGF sports cars, would fit the bill. The statement by Bernd Pischetsrieder, BMW's chairman, that "we have nothing to do with this Mayflower bid" has a similar ring to Daimler-Benz's denial, two weeks ago, of any interest in

close relationship with BMW, it would not want to be seen stepping out with any of its rivals for fear this could queer its chances of future BMW business. Mayflower is playing a dangerous game. Sir Colin Chandler knows this and is exploiting Mayflower's discomfort to the maximum advantage of Vickers.

Bo says go on Intrum mbo

Intrum Justitia is not your average sort of company. The debt collector has a Latin name, is run by Swedes, headquartered in The Netherlands and listed in London. If you ask the man on the Clapham omnibus what it does, he will probably answer "yacht racing".

Bo Goranson, Intrum's chairman, has learnt an uncomfortable truth about the City. If it doesn't understand you, it won't love you. After seven years of uninspiring performance, Intrum shares were undermined by a poor set of half-year figures, dropping from 129p to 71½p. And there they would have languished, had Bo not decided to launch a management buyout.

Now Bo is about to learn another truth about the City. It might not love you while you're listed, but if you try to buy the company back, it will hate you. Institutional investors have a fundamental mistrust of the managements that run the companies in which they invest. Try to buy your company off them, and they suddenly decide that they have undervalued it all along. Accordingly, Intrum shares shot up more than 20 per cent yesterday, once the new buyout offer leaked out.

What will now ensue is a squabble over the price. As Bo owns 34 per cent already and United News & Media 21 per cent, he has a good chance of winning control of the company. But it only needs investors holding 6.6 per cent or more to block him from taking it private. Intrum's voyage to privacy is only just beginning.

### Spicing up EMI

EMI's official "Girl Power" is dead. First Barbie and Ken knock the Spice Girls from number one in the charts. Then *Spiceworld*, the album, suffers disappointing sales. Finally, Ginger Spice falls out with their manager, raising question marks about the band's future. And the City's reaction? It marks up shares in EMI, the Girls' record label. Maybe the feeling is that demise of Spice will make EMI more vulnerable to a bid.



Sir John Egan, chief executive of BAA, with security staff in a new uniform that is due to be launched this month

## Strong pound hits BAA duty and tax-free sales

By ARTHUR LEATHLEY, TRANSPORT CORRESPONDENT

THE strength of the pound has hit duty and tax-free sales of alcohol and gifts at Britain's main airports as overseas passengers find goods cheaper in their local shops.

BAA, the airports operator, said that overseas passengers had turned against airport purchases, which showed a 2 per cent fall for each international passenger.

Sales of alcohol per international passenger fell 6.3 per cent in the six months to September, while gift sales also showed a 3.6 per cent drop, bringing a 1.7 per cent decrease per passenger. However, increases in passenger numbers, together with improved tobacco and perfume sales, brought a 6 per cent rise

in tax and duty free sales, to £134.2 million.

The disclosure came as BAA reported interim results showing a 7.4 per cent rise in passenger numbers, helping to raise pre-tax profits 2 per cent to £310 million in the six months ended September 30. The interim dividend is lifted 8.9 per cent to 4.9p. Earnings were 13.2p a share, after taking into account the £102 million windfall tax imposed on BAA by the Government.

Income grew 8 per cent, to £242.1 million, on the back of increased passenger traffic. Duty free sales are becoming an increasingly important part of BAA's business since the £423 million acquisition in

August of Duty Free International, the leading US duty free company. The expansion of BAA's subsidiary World Duty Free, which runs 20 duty free stores at BAA's airports, is intended to attract sales of £120 million.

Sir John Egan, BAA's chief executive, said that the slowdown in duty free sales was "a one-off. I wouldn't have expected this to be a long-term on-going problem. We have had this problem before."

Sir John voiced confidence in the company's six-month results, which were backed by increases in passenger numbers at each of BAA's seven UK airports. Southampton, with a 15 per cent growth, Gatwick (11.7) and Glasgow (11.3)

led the way. At Heathrow a 4.5 per cent increase in passengers was achieved with a 0.5 per cent rise in the number of planes using the airport.

BAA adjusted its figures to take into account the windfall tax, the repaying of £16 million in airport charge income to the second half of the year, and a £7 million increase in interest charged against profits because interest is no longer being capitalised on project to build a fifth terminal at Heathrow. BAA said that a direct comparison with last year showed a 9.8 per cent increase in pre-tax profits from £297 million to £326 million.

Tempus, page 32

## Murdoch says Lachlan likely to be successor

By RAYMOND SNOODY, MEDIA EDITOR

RUPERT MURDOCH, chairman and chief executive of The News Corporation, the international media group, has given his clearest indication so far that his successor could be his 26-year-old son Lachlan.

Lachlan Murdoch, as executive chairman of News Corp's Australian interests, has the most senior position in the group of the next generation of family members. Elisabeth Murdoch is general manager of

British Sky Broadcasting and James Murdoch heads the group's new media activities.

In an interview for *Sky High*, a new book on BSkyB by Mathew Horsman to be published this month, Mr Murdoch said: "The succession at News Corporation depends on how long I stay *compos mentis*."

Mr Murdoch, who revealed last year that the family stake in News Corp of about 35 per

cent had already been transferred to the three children, said in the interview: "The kids have those shares now. It will be up to them." The chairman of News Corp added: "Currently it is their consensus that Lachlan will take over. He will be the first among equals, but they will all have to prove themselves."

News Corp, parent company of *The Times*, owns News International, which has a 40 per cent stake in BSkyB.

In the interview for the book, Mr Murdoch expressed an element of doubt over this succession scenario, saying it was "not fully answered in my own mind". He was also frank about the current corporate position of Elisabeth Murdoch.

Asked whether his daughter would run BSkyB, he replied: "No. Elisabeth is not ready yet. And she has some things to work out. She has to decide how many kids she is going to have, where she wants to live." *Sky High* will be published by Orion on November 24.

## Redland bid deadline extended

By CHRIS AYRES

LAFARGE, the French building materials group, yesterday extended the deadline for its hostile 320p-a-share offer for Redland and criticised the company for not having produced "anything of substance" to rival its bid.

The offer from Lafarge, which values its UK rival at £1.7 billion, expires at 3pm on November 21. Speculation has heightened over what tactics will be used by Redland, which must present a defence plan to shareholders within the next two weeks. So far Lafarge has received acceptances for only 0.71 per cent of Redland's equity.

Redland shares now trade above the 320p price offered by Lafarge. However, they are still roughly half their value of three years ago.

According to reports at the weekend, Redland is considering an £800 million offer from St Gobain, the French glass and building materials group, for RBB, its majority owned tile business.

## Hilton stands by its \$9.3bn bid for ITT

HILTON Hotels Corporation, the US hotels and gaming group, has decided not to raise the stakes in the battle for control of ITT Corporation, which owns the Sheraton Hotels chain (Dominic Walsh writes).

Hilton insisted that its \$9.3 billion (£5.5 billion) bid offered ITT shareholders a better deal than the \$10.2 billion put on the table on Friday by Starwood Lodging because it contained a greater cash element.

Tomorrow ITT shareholders must decide whether to re-elect the existing board of directors or install a new board put forward by Hilton. Steve Bollenbach, Hilton chief executive, reiterated yesterday that if they were re-elected he would drop out of the bidding, leaving the way clear for Starwood.

## PW 'will be winner' in proposed merger

By ROBERT BRUCE

PRICE WATERHOUSE will be the clear winner in the proposed £8 billion merger with Coopers & Lybrand, according to documents circulated to the accountancy firms' 8,500 partners worldwide.

Jim Schiro, global chief executive of PW, and proposed head of the enlarged Coopers/PW, could hold the post for seven years under proposals to be put to the vote by partners before the end of the month. Another PW American partner, Woody Britain, would be responsible for such crucial areas as audit, tax and business assurance. Ian Brindle, UK senior partner of PW, would become head of global risk management. Peter Smith, who runs Coopers in the UK, gets a look-in as global industry leader.

The proposed merger, which has yet to be cleared by regulators in America, Japan and the European Union, would potentially create one of the world's biggest professional services firms.

The documents say little about the threatened rationalisation that has led a Coopers & Lybrand partner in America to circulate a memo claiming the whole process is a Price Waterhouse takeover and that 1,200 Coopers partners around the world are under threat.

Mr Schiro has said the enlarged firm could enjoy fee income growth of 20 per cent a year — a view endorsed by the documents. They emphasise the extraordinary predicted growth in global professional services, saying that global reach and heavy investment are the only way to ensure

market share. Predictions suggest the \$300 billion professional services market could double in the next five years. The combined firm would have revenues of \$13 billion for 1997 giving it four per cent of the global market.

It is the investment required that is most heavily emphasised. The enlarged firm will require "serious money" to live up to its mission statement of becoming "the leading global professional services organisation, solving complex business problems for top tier clients in global, national and local markets".

The merger, it concludes, is "the best non-cash 'big leap' forward", avoiding time-consuming and costly alternatives. The result of the vote is expected in the middle of next month.

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Little did the person who coined the phrase "marketing is too important to be left to the marketing department" realise that it is fast becoming a self-fulfilling prophecy. To a profession suffering a mid-life crisis, the news that marketers are held in low esteem by their colleagues, and that the very validity of their jobs is in question, inevitably results in a further bout of navel gazing.

If the results of a survey by the Marketing Forum, the industry's annual gathering on the board of the *Oriana*, are anything to go by then marketers are going to have to improve the marketing of their own profession if they are to continue to play a crucial role in business. The survey makes depressing reading. It also highlights the fact that marketers — the very people charged with having a finger on the pulse — are guilty of committing the cardinal sin of losing touch with reality. While marketers believe that their contribution is crucial to the performance of their business,

## Wake-up call to a profession losing sight of the customer

more than 300 colleagues from other departments would appear to disagree.

When it came to the overall influence on the company, 68 per cent of marketers said they were crucial to the company's performance, but only 38 per cent of colleagues from other business functions, such as sales, IT, distribution and finance, felt the same way.

This low rating is by no means limited to a general appraisal of their skills. One of the most damning verdicts was reserved, perhaps unsurprisingly, for an area that has so often been a flashpoint between the board and the marketing director: the effectiveness of the marketing budget. Only 18 per cent of non-marketing staff (and only 11 per cent of finance directors) believe that the mar-

keting department's monitoring of its performance is good or excellent.

While marketers may view such figures phlegmatically and dismiss them as indicative of how their profession is misunderstood, the statistic be-

comes a wake-up call: only 23 per cent of respondents said the marketing department was responsible for customer service, with 77 per cent saying it was the responsibility of other departments.

Bob Tyrrell, ex-chairman of the Henley Centre and now a non-executive director of New Solutions, the marketing consultancy, says that as long as

other departments encroach on customer service the role of the marketing function will continue to decline. He cites a clash of cultures that has led marketing staff not only to lose touch with the dynamics of marketing, but to relax their grip on an area

that should be core to the profession. After all if marketing is not about the customer then what is it about?

"Marketing people have been used to the very public, confident and loud world of branding and advertising. This is a far cry from customer service which is all about the personal, the deferential and listening to people. Marketers

goes by without a company re-evaluating its marketing department. In recent weeks organisations as diverse as Henderson Investors and Trebor Bassett, the confectioner, have axed the role of marketing director.

Henderson bailed out after saying it could not get the sales return on its investment in marketing. Trebor, meanwhile, merged the role with sales to "enhance the co-ordination between the two functions to ensure the effective execution of marketing," says the company.

Kevin Thomson, chairman of MCA, the consultancy, and a pioneer of the practice, says: "Marketers are champions of the customer, but they do tend to look down into their own companies. They create their own black arts, their own jargon and their own way of doing things. Until they start to speak with the same tongue, you are going to continue to hear phrases like 'not another crazy idea from marketing' echo round the boardroom."

JULIAN LEE

## Pharmacist's prescription for success on stock market

Above a chemist shop in Ruislip, West London, a fortune is in the making. Jayesh Manek, a Ugandan-born pharmacist who came to the UK as a schoolboy, is moving his armchair share-picking skills into a new league — with the launch of a fund management company backed by Sir John Templeton, the legendary Bahamas-based investor.

Some have been quick to dub Mr Manek, 42, "the Sage of Ruislip", in ironic homage to Warren Buffett, another stock market legend, who lives in a modest suburb of Omaha, Nebraska. Mr Manek has twice won *The Sunday Times* Fantasy Fund Manager competition — initially turning a notional £10 million into £502 million — and hopes to build on those skills with his new company, Manek Investment Management (MIM). The Manek Growth Fund will be launched later this month, seeking long-term capital growth through investment in UK equities.

The catalyst for the transition from chemist to fund manager came in July 1995 when Sir John, who established the Templeton Growth Fund in 1954, asked Mr Manek to manage £5 million of his personal fortune. He added a further £5 million in June last year. The portfolio, worth more than £13 million at the end of October, will form the basis for the new fund.

Mr Manek's office is above the Dallas chemist shop in Ruislip — one of four outlets owned by the Manek family. Mr Manek came to the UK in 1971, and was reunited with his family in London a year later, after their eviction from Uganda by Idi Amin. He studied pharmacy at Brighton Polytechnic, then spent two years as a trainee with Booker (which then had chemist outlets) before opening his first chemist in London in 1980.

His interest in the stock market began at college. Mr Manek recalls: "I used to read up more about stocks

and shares than pharmacy. It wasn't until the early Eighties, with the privatisations, that I started investing. BT was the first one."

He entered *The Sunday Times* competition because "it was a good opportunity to rate myself against the professionals" and was gratified with the results. Sir John approached him unexpectedly, and has become a mentor, encouraging him to allow others to participate in his success. Mr Manek says: "He was specific start on your own and let it grow. He has been a guiding force. We speak and meet on a regular basis."

Mr Manek says not working in the Square Mile is a definite advantage. He says: "It allows you to focus better. In the City, you're bound to be influenced by what's going on." Initial response to the new fund has been "tremendous".

MIM is a member of the Investment Management Regulatory Organisation (Imro) and is advised by KPMG and Stephenson Hardwood. Trustees to the fund are the Royal Bank of Scotland, Crispin Money-Coutts, head of international private banking at Coutts & Co. is a non-executive director.

MIM has a heavyweight chairman in Stanislas Yassukovich, former chairman of Merrill Lynch Europe. He said: "I have always been a promoter of wider share-ownership and demystifying the process of buying stocks and shares. I've always felt that the City had a problem vis-à-vis the investing public. It seems to many people who don't know it to be very much a closed shop, hard to break into, a magic circle. This is all very helpful in opening up the whole concept of investing in equities."

But anyone looking for a little extra "over the counter" share advice at Dallas chemists is in for a disappointment. Mr Manek has no plans to dispense share tips with the prescriptions.

JON ASHWORTH

## Falling bullion price means global outlook for gold is none too bright

Indian demand has been a barrier to further collapse, but that could change, says Carl Mortishead

The festival of Diwali is an auspicious time for Indians to buy gold. The shiny yellow metal is much prized among the Indian community everywhere, not merely as adornment but as a symbol of prosperity and for the financial security it brings.

This year Diwali, the festival of light, fell on October 30, and only a week previously, the world gold market had received a rude shock. The Swiss Central Bank announced that it intended to sell 1,400 tonnes, a third of its reserves. The news sent the price plummeting and compounded a series of damaging blows to investors' sentiment as central banks around the world sought to rid themselves of a badly performing investment.

British jewellers will be building up stocks of gold jewellery for Christmas. They should expect to do well this year. Gold consumption is rising with greater affluence and the British are finally beginning to develop the more sophisticated tastes of their European neighbours, buying better quality gold jewellery at higher prices.

But the Asian market is key to this commodity. More than 80 per cent of gold demand is for jewellery and two thirds of fabrication demand is from Asian countries. Curiously, one thing that will not cause too much concern to anyone in this trade is the plummeting price of gold. Bullion is currently at its lowest point for more than 12 years, touching \$308 (£18) per ounce on Friday, only rising slightly yesterday as physical demand for the metal absorbed the attack from short-selling by speculators.

Sentiment towards gold, too, is at a record low, the bullion price has lost about 25 per cent in value since it last rose to almost \$200 in early 1996, but the trend has been a more or less steady erosion in value since the peak of \$492 in 1997. What has hit the gold market is no less than an earthquake. Sales by central

banks have undermined confidence in what was once seen as a financial instrument of unequalled security, threatening some gold-mining companies with insolvency and financial turmoil in gold-producing countries.

Jewellers shrug their shoulders over fluctuations in the bullion price. Jurek Piasecki, chief executive of Goldsmiths, the jeweller, expects to hold gold stocks worth about £30 million during the run-up to Christmas. His chain of 140 shops will together raise stock levels by £6 million. Like most jewellers, he works on average prices and can absorb price fluctuations of up to 5 to 10 per cent without too much fuss, given a typical retailer's mark-up of 50 per cent. More importantly, short-selling by bullion traders is unlikely to affect the Indian market, which has had a love affair with the metal for thousands of years. The metal, which would at gold least, which was considered an aphrodisiac and for generations, Indian brides have been adorned with the metal. However, gold in India is as much investment as adornment. Many of the Ugandan Asians who fled to Britain were able to quickly establish themselves because they carried their wealth with them in the form of gold rather than the Ugandan currency.

According to Bharat Patni of Lakha, the Wembley-based Indian jeweller, the finished jewellery price is kept close to the value of the metal, giving Indian buyers the security of knowing they are getting value for money.

The crisis in the bullion market began in the early Seventies when the US ended the full convertibility of its currency into gold. Since then, central bank gold reserves have been in steady decline, but the process has recently accelerated. After a 300 million tonne sale by The Netherlands early this year, the Belgian Government revealed plans in June to sell more of its reserves. And in July, the Australian Central



Glitter and glamour: In India, gold is as much investment as adornment

Bank lobbed a grenade into an already nervous gold market, announcing that it had sold 167 tonnes, a third of its gold reserves, preferring to reinvest in interest-bearing assets.

The Australian move was a shock — a major gold producer, few in the gold market expected the country's central bank to deliver such a negative message to the market. And last month, another firm gold supporter, Switzerland, broke ranks and announced that it intended to sell 1,400 tonnes from its reserves. So far the

gold price has resisted testing the \$300 per ounce level, but Ted Arnold, gold analyst at Merrill Lynch, sees no reason why it should not fall below that level. He said: "What is magic about \$300? There is a lot of supply and demand is weak. It will test \$300 and probably fall below."

Mr Arnold says the banks are selling because gold is a non-performing asset, falling 28 per cent in value over the past ten years when the US stock market rose 266 per cent and long-term US Treasury

bonds gained 174 per cent. He said: "Gold is a relic, an anachronism. It has no monetary value. You don't earn any interest on it and you have to pay people to look after it. Mr Arnold cites three factors that could keep gold prices moving sideways to lower for some years: central bank selling in Europe could accelerate as bankers seek to get the best prices for their reserves; increased forward selling by gold producers; and currency devaluation in Asia, the main area of gold consumption. The

outlook is not good for gold. Depreciating currencies, such as the rand, are protecting producers that will stop mining only as a last resort. But the steady price decline makes the metal's status as a store of value. In theory, financial turmoil should turn gold into a haven, but the financial instrument of the moment remains the dollar and the US treasury bill. But it will take more than a few weeks' turmoil on world stock exchanges to wrench people away from their emotional attachment to gold. As Mr Piasecki puts it: "You earn more brownie points buying your wife a dress than a refrigerator. But you earn the most points if you buy her gold."

## Legged over

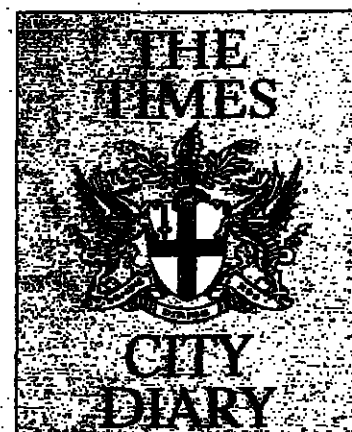
HOWARD DAVIES was in visible need of support when he spoke to a breakfast meeting at the CBI's annual conference yesterday. Not support for his newly named Financial Services Authority from business, but more a stout brown stick for his right leg. Davies, who crooked his left leg a few years ago in one of his star-studded football matches — he plays regularly with BBC boss John Birt, and Pearson TV chief Greg Dyke —

did it again last Friday, on his right leg. "But it was a good clearance," he insisted, with the sort of optimism that only a Manchester City supporter can muster.

### Liquid assets

AS IF to prove that conspicuous consumption is back, there were 40 bottles of the world's most expensive wine being knocked back at the Regent's Park office of Bibendum, the wine shipper, last night. And several parties from big City institutions I cannot name in case someone decides to have another look at their bonuses. Bibendum had acquired 40 bottles, of various vintages, of something called Chateau Le Pin, and 45 customers were prepared to pay £750 a ticket for a tasting. A case of the 1982 goes for as much as £30,000.

No wine, no matter how good, is worth £2,500 a bottle, of course, and Chateau Le Pin has reached these dizzy levels because of rarity value — only about 500 cases a year are produced — and the crazy notion of fine wine as investment. The only comfort is that one day the bottom will fall out of this market too, just as it did for classic cars. Also, signs of sanity are emerging with the arrival of Far East buyers, I am told. Simon Farr, Bibendum's buying director, says



they actually seem to enjoy drinking the stuff.

□ I THOUGHT we were supposed to be cool or something. London has done spectacularly badly in the Fortune magazine list of the best European cities in which to do business. Dublin comes first. "The Irish cultivated strong relationships with the EU in Brussels throughout the 1980s," says the magazine, which is one way of describing the extraction of \$16 billion of EU money. London, which came top last year, polls seventh, only just ahead of Rome and its traffic and Budapest and its... well, not much when I was last there. The good news is that Paris does not appear at all.

### Booking in

SOME of the City's finest leisure analysts will be at the High Court this week for their recollections of the Queens Moat Houses collapse. An unfair dismissal case is being brought by John Bairstow and three other former directors and will consider claims that they misled the market. To support its side, the company will be calling, among others, Max Dolding, of James Capel, Paul Slattery, of Kleinwort, and Mark Finnie, of NatWest. Given the popularity of QMH shares and Bairstow himself in the City before the collapse, do not be surprised if one or two of them find their memories not quite as complete as they might be.

□ MORE troubles for the Government's new savings account? Having discovered that the Isa means "god" or "father" in Estonian, I now learn that the new account may also have a special meaning to Moslems. Isa means "Jesus" in Arabic.

### Turn again

NOW here is a curious thing. The bond issue that will revive the finances of Canary Wharf is being put together by Morgan Stanley. Nothing strange about that, the American investment bank is one of the downriver development's biggest fans.

Special adviser to Morgan Stanley is Lord Levene. He used to chair Canary Wharf, so nothing strange there either. Except that a year from now Lord Levene will be Mayor of London, and every firm Canary Wharf attracts from the Square Mile is seen as a blow for the City.

"He's not even on the list of people who have anything to do with the deal (the bond issue)," says Morgan Stanley proudly. Fair enough; but it seems an odd conflict. Some are muttering that perhaps in his year of office Lord Levene could find a City firm to be special adviser to.

MARTIN WALLER



Lord Levene, future Mayor of the City of London, advises Morgan Stanley down river



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# BA's new colours given thumbs up overseas

By Jon Askerworth

BRITISH AIRWAYS has admitted that its controversial new livery has met with a disappointing reaction in the UK — but insists that things are different overseas.

Bob Ayling, BA's chief executive, said the rebranding, attacked by Lady Thatcher at the Conservative Party conference in Blackpool, had met with a "very, very strong and very positive reaction" outside Britain.

Some 60 per cent of BA's market is non-UK-based. Supporters said BA was "breaking the mould" and being innovative in its endeavours.

BA has introduced a new blue and red speedmark, and is dabbling with aircraft tailfins with images by artists worldwide. Designs hail from Africa, Poland, Japan, the Irish Republic, The Netherlands and the UK.

Critics say BA has blundered in dropping the national colours from its tails. Lady Thatcher showed her disapproval by wrapping a handkerchief around the tail of a model BA 747.

BA has been criticised for spending £60 million on a corporate redesign, while seeking to sharply reduce costs under its Business Efficiency Programme. Employees are concerned about the possible safety implications of the tailfins, which have reportedly led to confusion among foreign air traffic controllers during taxiing at night.

BA hopes the public will warm to its colour scheme once the rationale behind the rebranding — the need to become more modern and international — is understood. Mr Ayling said: "The reaction has been as good as we can hope for. We will now concentrate on explaining again the ideas behind the change." He added: "As a society, we take some time to get used to things. Once people get used to it, a degree of acceptance and liking will grow very quickly."

More than 40 BA aircraft have been rebranded so far, including 15 franchisees, with a further 95 due by the end of March. The corporate redesign extends to check-in counters, lounges, and internal BA documents, including pay-slips.

BA is to ban smoking on all flights from March 29. More than 95 per cent of its flights are already non-smoking. Routes to Japan, Hong Kong, Russia and Pakistan are among those where smoking is currently permitted.

## Profits warning takes toll of ISA shares

By Chris Ayres

RICHARD LINDLEY, temporary chief executive of ISA, the computer consumables group, yesterday admitted that management problems and tension between key staff were partly to blame for the company's recent disastrous performance.

The admission came after a profits warning wiped £18 million off ISA's market value.

The company, capitalised at £39 million, is now worth less than half its value earlier this year, with shares changing hands yesterday for just 96p, compared with 242p in January.

ISA warned the market that profits for the second half of 1997 would be significantly below the profits of £7.9 million in the previous period. The group blamed its poor performance on the strength of sterling and the depressed German market for office supplies.

However, the problems also followed the acrimonious departure in July of Peter Hildrew as chief executive, and the resignation of Mike Scannell, the company's UK managing director.

Mr Lindley said: "In terms of motivation of the key team, management issues have been an important factor. We're now working on resolving those issues." Mr Lindley, who is acting as chief executive while holding the position of group finance director, indicated that he wanted his position at the head of the company to become permanent. The decision would be made by the board over the next few weeks, he said.

## Ransomes cuts deal as Textron offers £137m

By Adam Jones

RANSOMES, the lawn-mower manufacturer, has succumbed to a £137 million cash bid from Textron, the American industrial giant.

The bid values Ransomes' ordinary shares at 60p, a premium of 107 per cent to the price before the takeover interest. Textron, which has a market capitalisation of about \$10 billion, is also offering 95p for each convertible preference share, a premium of 28 per cent.

Ransomes shares rose 9p from 48p to 57p by the close yesterday. Ransomes employs about 1,600 people, with about 500 in the UK. It fitted with disaster in the early Nineties after the purchase of Cushman of the US considerably increased its debt, with gearing up to 800 per cent and the shares dropping to less than 10p in 1992.

The company recovered after a restructuring and management change, but shares fell again this year after a profits warning, caused in part by slow demand from German and French municipalities for mowers. Ransomes also makes small industrial vehicles, including one used by traffic police in New York.

Although Textron's best-known businesses are Bell Helicopter and Cessna Aircraft, it has a "golf and turf-care" arm that makes golf cars and professional mowing equipment, with brands such as Jacobsen and E-Z-GO. The arm is likely to have turnover of about \$300 million a year after the acquisition.

Mary Lovejoy, of Textron, said Ransomes' European manufacturing capacity was a big motivation for the deal because Textron was incurring big costs building mowers in the US and shipping them overseas to customers. Textron is looking for more sales in Europe and Japan in particular.

Ransomes' golf course customers include Gleneagles, St Andrews, the Belfry and Pebble Beach in the US. The bid document is likely to show that Ransomes made a profit of £10.5 million before tax on ordinary activities, with a turnover of £169.8 million. If the offer is accepted, a final dividend will not be paid for the period.



Peter Wilson, left, chief executive, and John Clement, chairman, back Textron's bid

Ransomes' directors have already pledged their 0.35 per cent of ordinary share capital to the deal. The two largest shareholders are Schroder Investment Management and Britannic Assurance.

Tempus, page 32

## Henderson Investors hit by £1m write-off

By Richard Miles  
BANKING CORRESPONDENT

HENDERSON INVESTORS, the fund manager, has written off nearly £1 million in legal and advisory costs after abandoning a secret deal to expand its international operations.

The exceptional costs, almost 10 per cent of Henderson's 1997 interim profits, were disclosed yesterday in the company's accounts as financing "a major corporate initiative" with J&W Seligman & Co, its US partner.

Henderson said the initiative, believed to be a new distribution operation, was not possible in the best interests of shareholders "in the light of the effects of the tax changes announced in the UK Budget in July 1997".

Peter Johnson, Henderson's group finance director, declined to say whether the £988,000 write-off covered an aborted acquisition. He said the costs were not incurred in mounting a defence against a hostile bid for the company.

"We are bound by confidentiality agreements," he said, adding that the joint venture with Seligman continued. At present, the two companies distribute their retail products in the US through Merrill Lynch, the investment bank.

The provision had the effect of reducing first-half pre-tax profits from £11.2 million to £10.2 million, compared with £10.8 million for the same period in 1996. Operating revenues, however, were up 13 per cent, as funds under management increased 15 per cent to £15.1 billion during the six months to September 30.

On the plus side, Henderson's third-party administration business prospered, as funds more than doubled to £6.5 billion, largely reflecting the addition of more than £3 billion of funds from Aberdeen Asset Management. Eventually, Henderson hopes to spin off the administration arm into a stand-alone business.

During the past quarter, Henderson merged its institutional and retail fund management businesses.

## Plasmon suffers losses of £8.23m

PLASMON, the electronic equipment group, fell £8.23 million into the red in the six months to September 30 after a £6 million exceptional charge for ending volume production of CDs, which can be recorded on only once (CD-R discs). A new chief executive and a new managing director have been sent in to the optical media business as a result. Across the business as a whole Plasmon suffered a £2 million operating loss on sales down from £15.5 million to £14.1 million. Losses per share reached 42.13p against earnings of 2.92p last year. The interim dividend has been passed although the shares rose 2p to 46½p.

J. Barrie Morgans, chairman, said that improving sales of optical jukeboxes to IBM and growing market acceptance of recordable CDs meant the outlook was better for most of the group's product ranges. He said: "Combined with the continuing success of our US operations and the impact of the restructuring and cost savings implemented by the new management team, we expect a much improved result in the second half."

## VFG calls for cash

VFG, the AIM-listed film production company, is to raise £1.75 million through an institutional placing of shares, subject to shareholder approval. The money raised will primarily be used to exercise existing options to buy Camera Associates Assets, the only film camera and grip rental company based at Pinewood Studios, for up to £1.35 million. VFG will also acquire Lighthill, one of the main suppliers of consumables to the British film and television industry, for up to £1.1 million.

## Phone company cuts loss

THE Personal Number Company, the provider of "telephone numbers for life" that floated on the Alternative Investment Market last year, reduced its pre-tax loss to £27,000 from £738,000 in the six months to September 30. Turnover was £1.2 million, up 17 per cent from £1 million a year earlier. Losses fell to just 1.47p a share from 14.52p although again no dividend will be paid. The company said demand was growing and that it was benefiting as customers renewed subscriptions.

## Nissan speeds up

NISSAN, Japan's second biggest carmaker, lifted profits 46.7 per cent to ¥45.36 billion (£217 million) in the six months to September 30. The company said that the weaker yen had lifted international sales, helping to offset the adverse impact of a sluggish domestic market. Domestic registrations of Nissan cars fell 10.7 per cent year on year, but exports soared 26.3 per cent. Annual profits are on track to be about ¥100 million, unchanged from the previous year.

## Field buys Avery Label

FIELD GROUP, the packaging manufacturer, has acquired Avery Label from Philpott Ventures and the company's management for an initial £5.4 million. Field said that further amounts of up to £2.46 million would be payable, subject to Avery reaching defined profit targets in the nine months to April 4, 1998, and the year ending April 4, 1999. Avery achieved combined pre-tax profits for the year to June 30 of £700,000, before exceptional, on turnover of £8.2 million.

## Sugar merger close

ED&F MAN has reached agreement in principle for the merger of Mackay Refined Sugars, its Australian joint venture sugar refining business, with the domestic refining assets of CSR. Substantive agreement has been reached between the parties and due diligence is now being completed, Man said. Final documentation is due to be signed next month and a further announcement will be made then.

## Sharpe & Fisher grows

SHARPE & FISHER, the building supplies company, has bought Blandford Builders and Decorators Merchants and Tanglewood Timber and Builders Merchants for £1.75 million. In their last financial years the two firms had combined turnover of £3.85 million (excluding sales to each other) and an operating profit of £285,000. Pre-tax profit was £332,000 and the combined balance sheets showed shareholder funds of £941,000. The combined borrowings are about £200,000.

## Jobs to flow from Caspian oilfields

By our Diplomatic Editor

DEREK FITCHETT, Minister of State at the Foreign Office, flies today to Azerbaijan to attend a ceremony in Baku marking production of the "first oil" from the vast Caspian oilfields being developed by a BP-led consortium.

He said before leaving that the oil contract, one of the largest Azerbaijan has signed with a Western company, will mean thousands of extra jobs for Britain. He said it was secured after extensive government lobbying and was likely to pave the way for substantial British involvement in the former Soviet republic's energy sector.

The Azerbaijan International Operating Company is an

alliance of 11 Western oil companies, led by BP, which signed a \$7.4 billion (£4.26 billion) production sharing agreement for development of the Azeri and Chirag fields and the deep water part of the Gunashi field in September 1994. It includes Ramco, another British company.

Azerbaijan is one of the oldest oil producing areas in the world. Heavy industry is based largely on resources of petroleum and natural gas in or near the Caspian Sea near Baku. The contract has opened the door for other British companies, and some 70 British companies, many in banking and insurance, have opened offices in Baku.

## Former ambassador and ex-minister lead team

## Big trade drive in Saudi Arabia

By Michael Binyon, Diplomatic Editor

A CONSERVATIVE former Foreign Office minister and Britain's Ambassador to Riyadh during the Gulf War are to lead the biggest British trade mission to Saudi Arabia for ten years.

Sir Jeremy Hanley, who was Minister of State at the Foreign Office until May, told a group of senior businessmen that trading conditions in Saudi Arabia were now unusually favourable.

The kingdom had come out of the recession that followed the Gulf War. Tough budgetary measures meant that it now had a current surplus for the first time since 1982. And Britain

was well placed to take advantage of the Saudis' eagerness to develop emerging industry in their country.

Saudi Arabia is Britain's 12th largest export market, and the second biggest outside the Organisation for Economic Co-operation and Development.

Visible exports are running at about £2 billion a year and account for 23 per cent of total British exports to the Middle East.

Britain and Saudi Arabia are eager to diversify bilateral trade, which has been dominated by the huge al-Yamamah defence contracts. Saudi Arabia's sixth develop-



Hanley: favourable time

The trade mission will leave on Thursday and last ten days. It is assured of a personal welcome by at least three princes from the ruling al-Saud family.

Sir Alan Munro, former ambassador to Riyadh and leader of the mission, said British exports to Saudi Arabia had risen 50 per cent to a total of £2.5 billion in 1996 and estimates for this year show that they will go up again to more than £3 billion.

Saudi Arabia is eager to do business with Britain because of widespread knowledge of English, strong educational and training links, and a perception that the UK still has important political influence in the Middle East.

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## Back to basics

AS ROYAL galas go, this was both an unusual and a welcome event. A work portraying the struggles between a tsar and his people seemed a slightly ironic gala choice on the 80th anniversary of the Russian Revolution, but there were strong musical reasons for this visit by the Kirov Opera: no opera as important as *Boris Godunov* had been absent from London for as long as Mussorgsky's masterpiece, and Valery Gergiev had not conducted the work here before.

It was given in the original seven-act version that was rejected by the Maryinsky Theatre in St Petersburg when the composer submitted it in 1869. Now that the present Maryinsky Theatre regime, under Gergiev, has made amends by reviving it, something also done by Opera North eight years ago, we can expect to hear much more of it.

Given as here without an interval, in just two hours and 15 minutes, it packs a dramatic punch, focusing all the action on the tsar who is left alone to confront his adversaries. The score retains its raw power, and Gergiev's pacing was faultless. There was little he could do about the on-stage positioning of his magnificent orchestra and chorus, the latter squeezed into the back

**OPERA**  
**Boris Godunov**  
Theatre Royal  
Drury Lane

left-hand corner and thus not sounding immediate enough. The Russian people had to be represented by just a few members of the cast, but their effective costumes and Alexander Adabashian's simple direction clarified the action. Best of all was the chance to hear an all-Russian cast, a vivid ensemble from top to bottom. Nikolay Putilin may lack the resonant bass notes of an ideal Boris, but he created a figure who held the stage as the character should. Mikhail Kir sang Pimen with special presence. Konstantin Pluzhnikov made a particularly unsavoury Shuisky, and Viktor Loutsuk disclosed an authentic-sounding, tenor as Grigory. And with the spirited Hostess of Lyubov Sokolova, lively Varlaam of Fyodor Kuznetsov and plaintive Simpton of Yevgeny Akimov, this is a company worth every penny raised by the Friends of the Kirov Opera through this event.

JOHN ALLISON

### CLASSICAL CHOICE

A guide to the best available recordings, presented in conjunction with Radio 3

**HANDEL'S DRAMATIC ORATORIOS**  
reviewed by Jonathan Keates

Not so long ago the words "Handel oratorio" conjured up dirty visions of overrated amateur choirs, melodramatic contraltos and wobbly string players in the village hall. The wholesale revolution in our attitude to Handel has entailed a thrilling rediscovery of many works lost to audiences since the composer's death in 1759. That means not just the operas but the great dramatic oratorios that represent his most original contribution to 18th-century music.

With more than 60 CD versions available the range of choice is bewildering. I have singled out performances which present the works uncut (including middle sections and repeats in the arias), using an early-instrument sound and respecting Handel's assignment of particular voices to an individual role (no tenors or basses singing parts originally written for soprano or alto).

Christopher Hogwood's *Athalie* (L'Oiseau Lyre 417 126-2) respects all these criteria in honour of a neglected masterpiece, with Dame Joan



Sutherland striking sparks in the title role. Tugged back from even deeper obscurity is *Theodora*. Handel's own favourite among his oratorios, Lorraine Hunt leads the cast as Theodora in Nicholas McGegan's thoughtful account for Harmonia Mundi (HMU 907060/621).

Handel enthusiasts will have been delighted by the ongoing complete oratorio series from Hyperion, with all-star casts including that greatest of modern Handel stylists, James Bowman. Their *Joshua* (66461/2) shows us exactly why Mozart, Haydn and Beethoven placed Handel next to God. So too do Trevor Pinnock's *Archibald* (431 793-2) and John Eliot Gardiner's *Saul on Philips* (426 265-2, £44.99), consistently imaginative and colourful readings which respect the music's theatricality.

● To order the recommended recording, with free delivery, please send a cheque payable to The Times Music Shop to FREEPOST, SC0681, Forres, IV36 0BR or phone 0345 023 498; e-mail: music@the-times.co.uk  
● Next Saturday on Radio 3: Mussorgsky's *Boris Godunov*



Great from any angle, Danilo Perez is in London from tonight. "When people talk about Latin music, they mean Cuba," he says. "I want to expose them to other parts of South America."

## Who said Latin is dead?

The pianist Danilo Perez has brought Panamanian sunshine into the often grey world of contemporary jazz. Clive Davis reports

Jelly Roll Morton, the old rascal from New Orleans who claimed to have been the "inventor" of jazz, had no doubt about the importance of Latin syncopation in the music he bequeathed to America. All players, the great man declared with characteristic forthrightness, needed a hint of "Spanish rhythms. If you can't put tinges of Spanish in your tunes, you will never be able to get the right seasoning, as I call it, for jazz."

Just as Morton draped many of his tunes in the sensual pulse of the *habanera*, so Danilo Perez, the effervescent, Panamanian-born pianist, has injected fresh Latin colour into the often worryingly monochrome realm of contemporary jazz. His five-night stint in Soho at the Pizza Express Jazz Club — his first London residency — brings a touch of youthful star quality to this year's Oris London Jazz Festival.

His most recent album, a collection of Thelonious Monk tunes titled *Panamonk*, undoubtedly ranked among the best albums of 1996. It goes without saying, of course, that tributes to Monk — one of the fathers of postwar jazz piano, who died in 1982 — have hardly been in short supply over the past decade or so. Some of us, to be honest, would be more than happy never to hear another neo-bop treatment of his angular themes until well into the next millennium.

But Perez's bold approach to the internal rhythms casts the music in a radical new light. *Four in One* and *Reflections* emerge thoroughly reinvigorated, without any keyboard grandstanding or dilution of their

uniquely astringent, Monk-ish voicings. For Perez, the record expressed his vision of jazz as music underpinned by swing and rhythm — a lesson that he makes a point of passing on in the improvisation classes that he teaches at the New England Conservatory. "One thing I'm trying to make, my students aware of is that jazz needs to keep an element of dance," he says. "If you lose that, you lose people. I even teach them dance steps. The point I want to make is that you've got to play with your body."

It seems only appropriate that early on, he should have found a niche in the big band of Dizzy Gillespie, whose early experiments in Afro-Cuban jazz (which he expressed

in compositions such as *Manteca*) tend to be overshadowed by his role as a bebop pioneer. Perez went on the road with the trumpeter's United Nation Orchestra after working with the Cuban virtuoso Paquito D'Rivera. He later played a part in Wynton Marsalis's band — it was an excellent opportunity, he recalls, to immerse himself in the traditions of New Orleans-style syncopation. He made two albums under his own name before signing to the Impulse label and recording *Panamonk*. The second of those discs, *The Journey*, took the form of a suite exploring the cultural and social intricacies of the Afro-Latin melting pot. If Perez's ambition sometimes

exceeded his reach on that occasion, it was still a highly promising session from the young man. And a subject, too, that he hopes to revisit in the future. Although he now spends little of his time in Panama, one of his principal ambitions is to make an album drawing on the mixed Catholic-African religious heritage of his native land. "I find it a little frustrating sometimes," he says, "that when people talk about Latin music, they really always have Cuba in mind. Much as I like it, that's only one dimension. I really want to expose them to all the other forms that come from other parts of South America."

Mister Jelly Roll would surely have approved of his ambitions.

● Danilo Perez is at the Pizza Express Jazz Club, Dean St, London W1 (0171-499 8722) from today to Sat. The Oris London Jazz Festival continues until Sat. Programme details: 0171-405 5974

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CHANGING TIMES

### CONCERTS: Underpar performance from a tardy diva; two great choirs sublime in tandem

## Badly served, those who sit and wait

A top price of, say, £150 for three hours of opera at Covent Garden is soundly denounced as elitist. It represents better value, however, than a top price of £55 for no more than 50 minutes of music in a celebrity concert in the Bridgewater Hall.

Jessye Norman and Mark Markham's recital of songs by Brahms, Schubert and Strauss actually lasted a full two hours, but that included not only the legitimate delays and pauses but also the 15 minutes the two performers kept the audience waiting at the beginning and the ten minutes similarly deployed after the interval.

These were dangerous tactics. If, after making her long-awaited regal entry, the soprano had sung like an angel, even for half a concert, she would have been readily forgiven. But she did not. The great voice is evidently wearing thin in places and has lost more than a little of its splendour.

The result of a natural process to which all singers are vulnerable, that would have been understandable and acceptable enough if the artistry were consistently still there. It is beyond understanding, however, that a musician of her experience and intelligence should consider it desirable in so many cases to distort and discolour the vocal line by a grotesque over-application of expressive emphasis.

It is true that an ordinary singer might have problems in defining detail in a large hall. But Jessye Norman is not one of those. Her interpretation of Schubert's *Der Tod und das Mädchen* was lack-

ing in neither intimacy nor beauty. But she went on from there to an *Erlkönig* that sounded like a parody of the worst excesses in Lieder singing, as though she were a whole trio of voices (baritone included) and provoking more amusement than pathos.

She did much that was attractively idiomatic in

There were enough indica-



Brahms's *Zigeunerlieder*, but not without mauling the first syllable of *Brauner Bursche* like a bite too big to chew, and stamping her feet in time to the rhythm we might otherwise have missed.

There were enough indica-

tions in the recital, particularly in the Richard Strauss songs — not least the mercifully unpressurised *Allerseelen* and the apparently spontaneous *Zueignung* encore — to prove that a sensitively shaped line and a poetic piano accompaniment are all that is needed even in a space as large as this. The imposition of vocal and facial gestures that would have seemed exag-

gerated in the amphitheatre at Verona was, on the other hand, alienating. And how strange it is that a singer who holds the audience in such thrall could not, until near the end, discourage the song-by-song applause which — it was quite clear from her freeze-frame poses — she did not want to receive.

GERALD LARNER

## Degrees of perfection



In the event it was sublime. With more than 30 boys, and almost as many men, this was the cathedral choir of one's dreams: perfectly tuned; beautifully blended; the treble line never strained, and soft-grained rather than throaty, yet with the strength to ride the far-from-delicate orchestral textures of Schubert's great Mass in E flat. There were glimpses of the choir's power in the Kyrie and in the protracted fugue conclusions to Gloria and Credo. But it was in those startling, heaven-storming harmonies at the open-

ing of the Sanctus that these singers left the restrained world of Choral Evensong far behind.

Two other factors contributed to this sense of drama. The first was the pungent playing of the Brandenburg Orchestra, which accentuated the colour and contrast of this score. The other was the conducting of the King's College director of music, Stephen Cleobury. In the past he has sometimes seemed too prim and proper for big romantic scores, but here he found fervour aplenty.

Of course, King's chapel, for all its nice roofwork, is something of a glorified bathroom in acoustic terms. The Mass, and a lively account of the Magnificat, D486, did not suffer too much; their effects are broad. But elsewhere in this all-Schubert concert (sponsored by the Cromwell Clinic), the artistry of the soprano Lynda Russell in *Salve Regina*, and of the violinist Elizabeth Wallfisch in the Rondo in A, was all but lost in the echoes.

RICHARD MORRISON



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Matters of life and death arise from two new shows, one rich in gore, the other rich in meaning. Richard Cork reports

# Visions that go more than skin deep

Since so many young artists are obsessed with mortality, a new national touring exhibition called *The Quick and the Dead* could hardly be better timed. Probing, macabre and sometimes downright grotesque, this is not a show for the squeamish. But the 172 images selected by Deanna Petherbridge, Professor of Drawing at the Royal College of Art, are still compelling. They prove that the human body has been sliced open and explored for centuries by an astonishing array of fearless artists.

Their incisive findings fill the walls of the Royal College with revelations, and include some of the finest drawings in Western art.

Leonardo, an inveterate observer of dissected corpses, turned his ink and chalk studies into sublime meditations on corporeal existence. One sheet contains two drawings of skulls, both seen in profile. Leonardo's exquisite penmanship enables him to investigate every crevice, and his subtle study of the lower skull shows how delicately it rests on the slender, intricate column of the neck. Although Leonardo was only too aware that dissection could be nauseating, disgust was in his case overcome by a sense of wonder. Even when he delves into the organic complexities of the female reproductive system, his drawing ends up seeing these globular forms in awesome terms.

Isolated on the page, these consummate studies give no hint of the circumstances governing their execution. The truth is, though, that the bodies scrutinised by Renaissance artists often belonged to hanged prisoners or anonymous victims of poverty. Andreas Vesalius, in a gruesome engraving of 1543, shows the skinned and disembowelled victim of a public execution still strung up by the rope that strangled him.

But when artists take us inside

the studious calm of the Anatomy Theatre, we are still likely to recoil. In Jacques de Geyn II's print, made around 1615, Doctor Pieter Pauw is conducting a lesson with the male cadaver. While his hand rummages around the intestines, onlookers peer, frown and gesticulate. In order to underline the finality of the corpse's condition, three skulls sit at the base of the dissecting table. And bad-tempered dogs squat in the foreground, waiting for human morsels.

Plenty of artists alleviate this grimness with mordant humour. Pietro da Cortona shows a comely nude woman smiling as she pulls open her sliced belly to disclose the plumbing within. She seems as blithely unaffected by pain as the man who, in John Browne's lacerating print, performs a dance step while he tears skin and muscle from his shoulder.

We are a long way, here, from any straightforward desire to learn about anatomical reality. Surrealism is prophesied in Cristoforo Martini's fantastical engraving of 1685, where skeletons sit, discuss, meditate and pose on plinths like noble classical statues. The monumental dignity of their surroundings culminates, below them, in a bare stone slab where an assortment of discarded bones is propped up for inspection.

However fanciful they become, though, most of these images remain almost pedantic in their fidelity to the facts of the body. Rigorously delineated details of sinews, arteries and organs abound wherever you look. Alessandro Allori delights in the deftness with which he shows, on a single sheet, three stages in the progressive anatomising of a man's left leg. Having started with all its robust muscle and flesh proudly intact, the hapless limb is then methodically stripped of everything except a thin, vulnerable cluster of bones. Increased anatomical knowledge en-



Dissection scene commemorating lectures by John Banister (1581), attributed to Nicholas Hilliard: the Royal College of Art's latest exhibition is not for the squeamish

abled Giulio Sanuto to depict Apollo's flaying of Marsyas with horrific realism in 1662.

Some artists cheekily use dissection as a disguise for erotic images. One well-built male nude on a bed was included in a publication sternly entitled *Graphical Description of all the Muscles in the Human Body*. But the man reclines on the pillow with a languorous, inviting air, and his genitals are provocatively exposed.

When artists make three-dimensional models, however, seductiveness is hard to sustain. At the end of the 18th century André-Pierre Pinson tries to make his seated wax woman alluring, as she raises one arm in a balletic gesture to balance the other arm's downward thrust. But this graceful, enticing display is undermined by her cut-away torso, where the internal organs are revealed in all their glistening,

undulating rawness. Pinson's skill at manipulating coloured wax makes his dissected section difficult to scrutinise without flinching.

All the same, there are images of extraordinary, paradoxical beauty in this survey. Outstanding among them is the series of black and red chalk drawings made by Jan van Riemensdyck for William Hunter's seminal 1774 textbook *Anatomy of the Human Gravid Uterus*. When Petherbridge first came across them in Glasgow University Library, they sparked the idea for this exhibition. Van Riemensdyck, who deserves to be better known, is especially mesmerising in his study called *Front View of the Womb*. Although an opened, upright book has been placed in front of the dead woman's genitals, her body is otherwise depicted with uncompromising directness. So are the folds of skin parted to expose the womb,

which swells outwards and upwards like a burgeoning, over-ripe fruit. The whole picture could easily have been repulsive, but van Riemensdyck treats his subject with enormous respect and tenderness.

More remarkable still is his study of a *Fetus in Profile*, made in 1754 for William Smellie's *A Set of Anatomical Tables, with Explanations*. The drawing must have been made from a dead child, who looks fully formed and ready for birth. But there is nothing unduly distressing about this serene image. Lying upside-down and hunched inside the womb's serpentine contours, the cramped foetus nevertheless looks at peace. Van Riemensdyck's virtuosic ability to simulate the textures of skin, bone and flesh is astounding, and yet always rigorously deployed. The opposite of flashy, it honours the origins of human life with an

appropriate feeling of tenderness. The most moving and impressive works on view all arise from a similar motive. George Stubbs's justly renowned drawings for the *Anatomy of the Horse* are precise, meditative and gravely admiring of the animal he scrutinises with such care. A passion for anatomy runs through everything produced by Stubbs, who carried out his first dissection when he was only eight years old. Impervious to the stench of the carcass cut up for his later horse studies, he pursued an admirably perceptive investigation. But the knowledge Stubbs gained never prevented him from appreciating the animal's essential qualities. The pencil drawings still convey his ardent response to the tensile strength of the horse's legs, arrested in graceful movement.

That is why the exhibition as a totality is far from depressing. Although anatomical images can be gruelling and reek of extinction, they are at their best unexpectedly life-affirming. Marc Quinn, one of the contemporary artists who highlight the show's pertinence today, displays a flayed figure streaming with black rubber. He might be disintegrating; but he could equally well be struggling towards a state of regeneration. In this respect, Quinn shares the preoccupations explored in the 16th century by Giorgio Ghisi, whose *Visitation of Ezekiel* shows skeletons rising from their tombs and regaining their earlier form. Ecstatic winged cherubs soar above the graveyard, reveling in the realisation that brittle bones can undergo a miraculous rebirth.

● *The Quick and the Dead*, organised by the Hayward Gallery, is at the RCA (0171-590 4444) until Nov 24

## Envoys face up to mortality

Nobody could appear more poised than the two figures who preside over the National Gallery's new exhibition. They occupy their space in Holbein's masterful painting with the authority of young and successful Renaissance men. Jean de Dinteville, French Ambassador to England in 1533, is by far the more lavishly attired of the pair. But neither he nor his friend Georges de Selve, Bishop of Lavaur, could be accused of shyness. They are on public display, life-size and full faced, in an elaborate picture stacked with evidence of their intellectual accomplishments.

No wonder *The Ambassadors* has now been made the centrepiece of a special show. Its richness of meaning matches the splendour of the textures Holbein simulates with such beguiling skill. Ranged on the furniture between them is a complex still life, testifying to the encyclopaedic breadth of their interests. Musical instruments lie beside astronomical devices. The arts and sciences cohabit here with an ease almost unimaginable today.

So do sacred and secular concerns. On the lower shelf, an open book clearly exposes a hymn by Martin Luther. But a nearby globe symbolises the Renaissance appetite for exploration of Earth rather than Heaven. And Jean de Dinteville ensured that his worldly assets are proclaimed on the globe's surface, where the Frenchman's ample estate, Polisy in Champagne, is identified with lordly prominence.

Although the resplendent painting is primarily a celebration of friendship, it also reflects the fact that Dinteville was responsible for commissioning this unusually large image. He brazenly affixes his surmounting, hawk-lined gown to reveal a pink satin doublet, heavy medallion and embossed weaponry. The patrician stance he adopts is almost as domineering as Henry VIII's pose in Holbein's drawing on the next wall.

The Bishop, as befits his calling, is more discreet than his peacock companion. But he looks formidably assured, and groomed with fastidious precision. Holbein's meticulous brushstrokes pick out every hair in his elegant moustache and close-cut beard, as well as disclosing how the rosinette tendrils travel down his neck and even grow through the opening in his pristine linen collar.

Who, then, took the astonishing decision to make a grotesquely distorted skull float before all this magnificence? Seen from the front, with the corrective aid of a cylinder, the monumental death's head is scarcely identifiable. But its gravity-flouting presence challenges the verisimilitude behind; and viewed from the right side the skull shrinks to a rational shape.

The National Gallery has obligingly provided us with a platform where we can look at the skull from the correct position. It is an amusing optical game to play, but should not tempt anyone to underestimate the significance of this chilling intrusion. Omnisciently suspended in space, the memento mori mocks the ambassadors' grandeur, and reminds them that the grave is, finally, inescapable.



Hans Holbein's *The Ambassadors*, now the focus of a National Gallery exhibition

of this chilling intrusion. Omnisciently suspended in space, the memento mori mocks the ambassadors' grandeur, and reminds them that the grave is, finally, inescapable.

Since Georges de Selve was a man of the Church, he may have encouraged his friend to include the skull. After all, a silver crucifix can also be detected, half-concealed by a lustrous green curtain. The suffering body cringes with the mood of the death's head and promises redemption as well, suggesting that the Bishop would not have been happy with a painting that extolled earthly status alone.

Elsewhere in this illuminating survey, though, we find reminders of Holbein's own preoccupation with mortality. His *Dance of Death* woodcuts culminate in an especially harsh image where a married

couple find themselves separated by a shield bearing an hour-glass and skull. Here, around 1525, is a clear precedent for the death's head threatening the ambassadors eight years later.

Like many artists of the period, Holbein was accustomed to incorporating overt references to death in his work. One of the finest images here is Lucas van Leyden's drawing of Saint Jerome, staring sorrowfully at a crucifix while he fingers a crack running through the skull in front of him.

All the same, Dinteville may well have been primarily responsible for including the death's head in Holbein's painting. A candid letter writer, he confessed in the year when the portrait was executed that "I am the most melancholy, weary and wearisome

ambassador that ever was seen". Those words prompt us to look again at his handsome face, and detect more than a hint of sadness beneath his seeming serenity.

Holbein expended all his virtuosity on *The Ambassadors*, and the recent exemplary cleaning enables us to marvel far more readily than before at his painterly aplomb. Because Holbein was a consummate draughtsman, he is often regarded primarily as a master of the defining contour. But by 1533, his command of brush and colour had become equally awesome. In *The Ambassadors* the stuff of life is lauded with heady, illusionistic conviction; and it makes the threat of death all the more troubling.

● *Holbein's Ambassadors* is at the National Gallery (0171-839 3311) until Feb 1

### AROUND THE GALLERIES

□ SINCE Charles Bartlett is just coming up to 75, it is obviously high time for a retrospective, and what more appropriate place for it than the Bankside Gallery, home of the Royal Watercolour Society? Bartlett is, after all, known primarily as a watercolourist, and has done his five-year stint as president of the RWS. However, Bartlett is no dyed-in-the-wool traditionalist, but very clearly a modern artist who just happens to work in a medium which has a long, strong tradition behind it.

Most of his watercolours, like his oils and his prints, are landscape-based. But when he finally arrived at the Royal College of Art after his war service he found himself a contemporary of Alan Reynolds and Edward Middleditch, and one can see clear parallels in his work with their ways of formalising and then virtually abstracting the scene before them.

Some of Bartlett's etchings are almost completely abstract, though the link with representation is never completely broken. The watercolours seldom go that far, but their landscape is regularly deconstructed and put together again in a pattern which owes more to the artist's emotions and his constructive instinct than to the facts. The spirit of the place is unmistakably there, but conveyed with the poet's rather than the topographer's insight. *Bankside Gallery*, 45 Hopton Street, SE1 (0171-928 7521), Tues-Fri 10am-5pm (Tues to 8pm), Sat-Sun 1-5pm, tomorrow until Nov 30. Admission £3.50, concs £2

□ IF YOU were looking for a demonstration of watercolour's versatility, you could hardly do better than to go directly from Bartlett to David Remfry. For the past 20 years Remfry has been conducting a long-distance love affair with New York. Early in 1995 he decided to go and live there for an extended period, and his new show at the Mercury Gallery is the first to bring us the artistic results of his move. Oddly — for who thinks of New York and watercolour in the same breath? — all the works on show are large

watercolours and drawings. Even odder, the first thought that strikes you is not Nineties New York but Twenties Berlin. Almost all the pictures are of couples or individuals dancing in what one presumes to be dancehalls — the figures are presented almost without background.

Partly because of a coincidence in the dress modes, partly because of a similar taste for picturesque lowlife, the watercolours of Georg Grosz come irresistibly to mind. But Remfry lacks altogether Grosz's mordant distaste: he loves what he is depicting, and draws and paints it with exuberance. *Mercury Gallery*, 26 Cork Street, W1 (0171-287 9809), Mon-Fri 10am-5.30pm, Sat 10am-12.30pm, until Nov 22

□ PERHAPS watercolour is conducive to eccentricity. An earlier British artist who used the medium very much in his own way for his own ends was David Jones, a small but

choice show of whose works on paper is at Wolsley Fine Arts from tomorrow.

Both in his writing and in his visual art Jones tended to act as though he were totally unaware of anyone else working in the same forms, so that one constantly has the impression that everything in his art is invented *ab initio*. His watercolours are really lightly tinted drawings, eschewing washes almost completely. The First World War drawings, mostly done much later as illustrations for his prose-poem *In Parenthesis*, are quite straightforward, but the Arthurian drawings are as intricate and overlaid as his later writings. Jones is either a great genius or a fascinating oddity; each spectator will have to decide which. *Wolsley Fine Arts*, 12 Needham Road, W11 (0171-792 2788), Tues-Fri 11am-6pm, Sat 11am-5pm, until Dec 13

JOHN RUSSELL TAYLOR

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## Next stage for a class act

As to why Hollywood repeatedly casts British and Irish actors in small parts as cops, Feds or CIA spooks (Brian Cox in *Chain Reaction* and *The Glimmer Man*, Colm Meaney in *Con Air*, Malahide volunteers a simple explanation. "We're cheaper. If they hire me they're getting an actor with 30-odd years' experience who will do a good job without complaining about the length of his trailer or demanding megabucks. A class act at a reasonable price — not a bad epitaph, is it?"

● **Mutability prevails at the Cosmothe Theatre, SE1 (0171-928 2252) from Friday**

BENEDICT  
NIGHTINGALE

he by his own bloodthirsty  
fustian that his brother  
Gloucester grabs at him, as if  
to pull him back to humanity.  
But then, as any amateur  
historian knows, things get  
difficult. Disease and exhaus-  
tion take their toll. An example  
has to be made of Hal's old  
friend, the thief Bardolph. By  
the time of Agincourt itself all  
Henry's macho rhetoric has  
gone, and 3 sense of responsi-  
bility and camaraderie has  
taken its place.

Shakespeare does not make this  
transition over-obviously, or  
try to turn Henry into a pas-

The period is 20th century, at first almost didactically so. Michael Sheen's Henry and his men sit in some briefing room, itself weirdly surrounded by slabs of Washington's Vietnam Memorial, watching old films of mud and blood at the Somme. But don't be put off. Daniels's point is that, though people may realise in abstract that war must not be undertaken lightly, they can only comprehend its reality by getting out of the classroom and into the furnace itself.

Hence Sheen's unmitigated playing of the Hardtcore episode, by gleaming, words-only, he shows us exhilaration of power and conquest. So carried away is

him because the audience were too busy looking at his wife's taut dress.

The fascinating roots of Tipton's story, however, reach a lot of dead ends. We have no idea why June married Johnny, what kind of sex they had (surely a prime dramatic consideration), and only a titillating half-suggestion that Chester fathered Johnny's children. The problem ultimately is that Kreitzer exposes the lies they lived but none of the truths. Despite this, there is enough genuine heart and skill on show, notably from Sadovoy's Johnny, to whisk us through 90 minutes.

**JAMES  
CHRISTOPHER**

piano player, Chester Kent. All shy smiles and Byrlycreem. Johnny works: the audience like a fairground showman, spinning into *Everybody Loves My Baby* in a believably mad-in-clad tenor, and beaming in awe at the wife he sweet-talked across a café table. Kim Criswell's "June Wedding" saysahs from torch song to torch song like a voluptuous tartship, her velvet voice as soft and ample as her bosom.

Between jazz standards, the three prowl relive chumps of their lives. The dialogue has the damp sting of a Chandler movie. "I sat on a whole lotta love," says 18-year-old John, subducting into a pool of whisky. There is little pride in the sacrifices for this art. For

wives, Tipton was an archetypal Fifties jazzman who played the circuit for 40-odd years and wore a lot of surgical bandages in bed.

The story, as briefly chronicled in *Time* magazine, is the inspiration for Carson Kreitzer's intriguing cabaret drama, which makes a bold leap from the fringe to the West End. Her piece couldn't have landed in a more appropriate venue. It needs only a few colorful lightbulbs and a tight jazz band to turn the Whitehall into an intimate, downmarket nightclub.

Here Liza Sadowy's fast-talking, finger-jabbing Johnny Chalky is a throwback to the grave wearing pinstripe suit and swearing on rem-

[illegible]

**THE GAMBLER (16):** Intriguing tale about Docobovitch writing his novel *The Gambler*, with Michael Gambon and Shirley Henderson. **Kleinfeld, Curzon West End (0171-381 3722)** **London Weekend (0181-331 4529)**

**MADONNA RISK (15):** Jean-Claude Van Damme steps into his twin brother's shoes and finds trouble. **Starburst action from Hong Kong director Ringo Lam. *Madonna Risk* (011-930 0815) Virgin Theatres (0) (0118-970 8015)**

**MY MOTHER'S COLOURS (12):** A Hungarian mother has a brush with death in Nazi-occupied Budapest. **Larry Miller, Brian Easton and Michael with Pauline Collins. Director, Michael Verhoeven *My Mother's Colours* (011-930 0831) London Weekend (0) (0118-970 8015)**

**UP TO THE ROOF (15):** Ups, downs and yuppies in a brilliant satirical group. **Three lively British film, with Army Brothers, Gary Carter, and Clare Lacey. *Up to the Roof*, Screen Moon, Price (0) (0950 889909)**

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## Warning to exporters on single currency

By BRIAN COLLETT

EXPORTERS selling in European Union countries adopting the single currency in 1999 have been given a warning of trouble ahead if they do not prepare now.

Yet 82 per cent of 600 small and medium-sized exporters told a Lloyds Bank survey that they were less sure of the preparations that they should make than they were a year ago.

Most, for example, had not considered adapting their technology to produce pricings in euros. Companies that handle the single currency inefficiently, or refuse to work in it, risk losing customers.

The importance that all businesses should place on planning for European economic and monetary union when, as is likely, it is introduced after the next general election, is almost as great, Lloyds Bank believes.

Most businesses are slow to appreciate that a psychologically good price such as £9.99 could translate into 14.70 euros — the euro figure it now represents — which might be increased to 14.99 euros for bargain appeal. That could push up inflation.

Another little appreciated complication is that, for a while, dual pricing and unit pricing would accompany the single currency. Under unit pricing a greengrocer would have to mark goods per pound and per kilo, in euros and sterling.

Discounted items would also have to be similarly marked with old and new prices, resulting in eight price tags.

These and other monetary union issues are being put to businesses in 70 Lloyds seminars throughout Britain. The seminars, attended by specialists from Lloyds, the Bank of England, and other European banks, will continue until the end of this month.

Participating businesses are given a booklet to guide them through the next five years. In a poll of 200 finance directors of small companies and a few corporates by Accountancy Age and Reed, the recruitment group, 43 per cent said they favoured Britain's adoption of the single currency in 1999 and 40 per cent said they opposed it.

## New chapter opens for adviser left on the shelf

Bookseller turned hobby to job after redundancy, says Veronica Heath

David Grayling is not the sort of man you would associate with dusty old books. Essentially an outdoors man, when he is not browsing through dusty volumes he is walking the Cumbrian fells.

As a young Lancashire lad he was interested in the country and natural history and went to agricultural college, from where he progressed to a job as adviser for the British Oil and Cake Mills.

"I certainly didn't anticipate becoming an antiquarian bookseller," he said, "but in 1971 my job suffered in a takeover and I was made redundant. I had always been an enthusiastic amateur collector of books and there was a ready supply of them in those days. I browsed in antique and junk shops, advertised in local papers and bought from private collectors."

"I didn't actually know much about the trade when I started but I learnt quickly. When I had collected about 150 books I compiled a catalogue and advertised in appropriate journals."

Browsing in private house libraries is a very personal thing but as he became known Mr Grayling was recommended by clients and increased his stock of books. He admits that he made initial mistakes, paying too much for some



David Grayling enjoyed collecting books but never expected to become an antiquarian bookseller

books, offering too little for others, but he learnt from his failures and successes. An antiquarian bookseller builds a business by networking, keeping an ear open to hear if a bookshop or an individual might be disposing of stock.

When his house in the Eden Valley overflowed with books it was time to expand into an office. He bought a former bakery in Shap and now commutes four miles to work. Location was important; his office is ideal for clients travelling from the South through to Scotland.

"I now put out 12 catalogues a year and have a turnover in excess of £130,000. Books are mailed

around the world to Australia, New Zealand, Nepal, the Antipodes and all the English-speaking countries. The business is totally computerised. We have the latest technology and I employ two staff, both locals. Late summer and autumn is a busy time for visitors with clients on their way to the Highlands for deer stalking and fishing. It is rewarding doing a job which I enjoy and of course I've made many friends."

Over the years, serious collectors have become more discerning about the quality and condition of books which they buy, so finding worthwhile titles has become more demanding. Big game titles have

always been popular and some people like to build up complete collections of a series.

For example, Collins published the New Naturalist series and some of the scarier titles were fetching £150 or more. "Considering that most of them were published in the 1950s and 1960s, prices were extraordinarily high," he said.

A comparatively recent venture has been republishing books which have become scarce himself. This is, however, a risky business and Mr Grayling makes certain that there is demand for a particular title before he republishes it. David Grayling 01931 716746.

## 'Angels' brighten up life for solar light manufacturer

By IOLA SMITH

SOLAR SOLUTIONS of Ammonford in South Wales, a company specialising in developing and manufacturing solar-powered street lamps, is the first small business to benefit from the new Wales Business Angels Network.

David Morgan, who runs the business with Stephen Barney, his brother-in-law, said: "We had been looking for finance for some time, but found it very difficult. It has been an uphill struggle to get that initial funding needed to launch a new product."

He added: "We are delighted that through the Business Angels Network we have found a backer who has confidence in our product and is prepared to provide the necessary finance to enable us to start manufacturing these units."

Mr Morgan, a design engineer, is convinced that there is potential for a large market for solar-powered street lamps, particularly in Mediterranean countries. He believes that emphasis on energy conservation, plus international fears of global warming, makes solar power increasingly attractive.

He said: "Countries throughout the world are committed to reducing carbon dioxide emissions. Public lighting systems which use vast amounts of energy are one of the immediate areas of concern."

Mr Morgan is now able to manufacture lamps to order. And he is keen to bring new solar power products, such as an irrigation pump designed for the Third World, to the marketplace.

Ray Hercombe, manager of the Welsh Business Angels, said: "This solar lighting system is exactly the sort of innovative product that we are keen to encourage. The network has been running for only a few weeks, but we have already attracted a dozen angels."

The network was set up by the Welsh Office, CBI Wales, the European Regional Development Fund, and the Welsh Development Agency.

## Hazardous life of the small retailer

FOR an exciting life, open a post office or a newsagents. These, NatWest Bank says, are the riskiest retailing businesses for occupational hazards (Rodney Hobson writes). Pubs and wine bars come a close second as they tot up the cost of theft, accidental damage, personal accidents, burst pipes and fires.

Other retailers seem to bring their own problems on themselves. Hairdressers, for instance, are prone to floods, fish and chip shops catch fire and butchers suffer most from stock deterioration.

NatWest Business Insurance Services, a subsidiary of the bank, studies insurance claims from its 8,500 retail customers. Not surprisingly, it found that the longer a business was open, the more likely it was to suffer from theft. That put post offices and newsagents at the sharp end. All three categories are also victims of malicious damage to shopfronts, a problem that is increasing.

for tickets bought in advance. Call 01202 762252.

Next year's fourth biennial technology transfer conference will be on innovation in small firms. The event, from July 6-8 at the Commonwealth Institute in London, is organised by the Teaching Company Directorate, which is calling for papers by December 1. Themes, with workshops, are opportunities for small firms; people in small firm development; and supporting and financing innovation in small firms. Call Sarah Goodyer on 01367 245217.

### BRIEFINGS

addressed envelope with a 3p stamp to the trust's secretary at 7 Buckingham Gate, London, SW1 6JY. Completed forms must be received by January 15.

Advice on how to make a successful small business into a larger one is contained in *The Growing Business Handbook*, published by Kogan Page in association with the CBI and KPMG. It costs £14.99.

More than 300 small businesses from all over the UK will be exhibiting at *Country Living* magazine's five-day Christmas exhibition opening tomorrow at the Business Design Centre, Islington.

A health and safety audit for the guidance of small companies has been produced by the Forum of Private Business and the TUC. It is broken down into types of business and covers everything from

the need to have a first-aid box to regulations on handling dangerous chemicals. Price: £18.50 to forum members, £185 to non-members. Call 01565 634467.

The London International Inventions Fair and The International Business Opportunities Exhibition will be held at the Barbican Exhibition Centre, London, from November 27-30. Admission is £12 on the door, or £6

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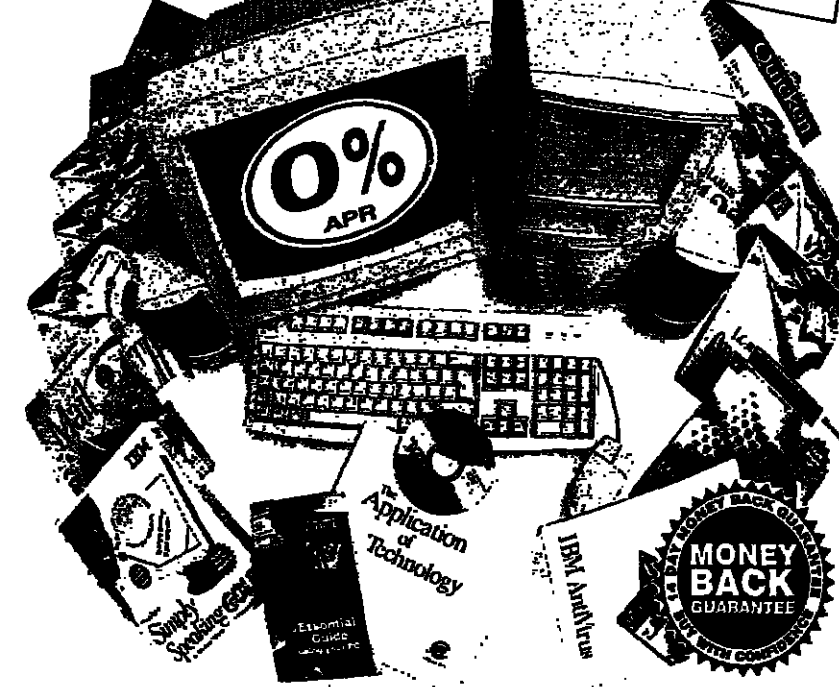
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## LAW

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Victoria McKee argues that the Woodward trial was also a battle of cultures



The home-grown prosecution team, which included the straight-talking Assistant District Attorney Gerard Leone, proved culturally crucial

## Guilty of being British?

Judge Miller Zobel might not have needed to play Solomon had Louise Woodward broken down in tears on the witness stand over Matthew Eappen's death. Unfortunately for her, the only time she showed raw emotion was when she collapsed as the guilty verdict came in. If she had shown half the hysteria of some of her supporters, perhaps the verdict would have been different. The cultural clashes in the case have been fascinating as the legal one. The defendant was English in the Massachusetts court of Middlesex, where the first shot was fired in the American Revolution. She had entrusted much of her defence to a "whiz-kid" New York lawyer with a reputation for wizardry on scientific evidence, and for having helped O.J. Simpson to "walk". "People were saying, 'She must be guilty because she hired Scheck'," said Julie Campbell, head of a legal consultancy in Boston. That Barry Scheck was telegraphic carried no weight with a Massachusetts jury who preferred the straight-talking Assistant District Attorney Gerard Leone, whose annual salary would scarcely keep Mr Scheck in suits for a year.

Mary Spillane, educated at Harvard Business School and head of CMB Image Consultants, has coached witnesses for trials. She said: "Woodward's cool, controlled testimony in the witness box — which British juries might have admired — would have been seen as cold, calculating and emotionless. Americans would have responded better to a teary teenager. The fact that Louise looked bland and dumpy and sad should have

helped: it was the cold body language and smiles and laughter at the wrong points that were bad."

**Her cool, controlled testimony would have been seen as cold, calculating and emotionless**

Charles Maclean, a Massachusetts lawyer, said: "I thought for a 19-year-old girl she was perhaps too composed. You have to convey the sadness of the death. But you can't coach someone to be emotional."

Woodward also had two respected local lawyers on her team. Andrew Good and Harvey Silverglade. Jurors also chose to believe local doctors over the elite experts Mr Scheck called. Mr Maclean said: "Local doctors always count for more."

### Unions to the rescue

TRADE UNIONS seem likely to plug part of the gap left by the Government's removal of civil legal aid for money disputes. Trade unions won a record £330 million compensation last year for people injured at work. A TUC survey published last week found that the unions helped 150,000 people last year for a range of work-related problems and injuries, including occupational stress, asbestos and asthma. John Mosley, the TUC General Secretary, said the TUC planned to fill the gap from next April in the civil justice system by providing not just members but non-members with access to law firms that act for unions to secure damages. He added: "Legal aid is a non-starter for most working people and their families. Union membership is the only safety net left."

People off work from an injury should seek compensation or medical treatment through a union, rather than relying on the Government, he said. The TUC is devising proposals for a new workplace "legal aid" scheme

to be agreed with insurance companies.

**Blind justice**

SEVEN magistrates' advisory committees, the bodies that

### Law gets in the picture

THE DAYS of solicitors and clients traipsing around to consult counsel at their chambers are ending. Video-conferencing is gaining ground: the latest chambers to set up a link is that of Anthony Arlidge, QC, which has just moved from King's Bench Walk to 18 Red Lion Court. Video Conferencing for Lawyers, a company run by Michael Kaye, a North London solicitor and technology entrepreneur, set up a live video



Arlidge, QC, move

link between the chambers, which was holding a reception, and Sir Frederick Lawton, a retired Court of Appeal judge and one of the set's founders, who now lives in Yorkshire and could not make the journey to be there.

appoint magistrates, are seeking suitable blind candidates for appointments to the bench. The move has been welcomed by the Royal National Institute for the Blind and the Lord Chancellor, who announced in July that he wanted to appoint blind people as JPs. Those appointed will be part of a pilot project over the next six months.

**Over to Straw**  
WHO SAID Jack Straw and Lord Irvine of Lairg were not on friendly terms? The Lord Chancellor said last week that he got on with the Home Secretary "well and proper" and that they regularly lunched "without officials". It was, he added, Straw's turn to buy lunch.

Details of The Times Law Awards 1997, with One Essex Court, on Privacy and the Press: is law the answer? will be published again next week. They are also available via 0171-583 2000 or The Times Website at: <http://www.the-times.co.uk>

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## American way to win injury claims

The American personal injury claim system is often derided in Britain. But are we right to sneer? I suggest that it is time for us to stop looking down our noses and to start adopting some features of the American system, such as jury trials and punitive damages.

There is strong evidence that corporate Britain is likely to be injuring and killing — through environmental pollution and through its products — many people, but there will always be weaknesses in the ability of the regulators to control this. For example, when my firm was pursuing the Sellafield childhood leukaemia claims I was surprised to find that we were the only outside body to have gone through internal British Nuclear Fuels documents relating to the radioactive discharges from the plant. The Nuclear Inspectorate and National Radiological Protection Board never saw this as their job.

The problem for injury lawyers, such as myself, when we take on cases to try to bring these companies to book, is that genetic science is still in its infancy in terms of being able to show that particular substances cause particular illnesses. With the burden being on the plaintiff to prove the case, corporate Britain walks away extremely lightly in court.

If we are to have a system devoted to the protection of individuals, it is vital that it be a dynamic personal injury system that brings the companies causing damage to heel, and puts more cards into the hands of the plaintiff. Having a personal injury system that protects the health of human beings should be seen as a fundamental right, not just a safety net when all else fails.

In the US there has been an explosion of mass tort claims over the past 15 years, with hundreds of thousands of people suing, often successfully, in relation to Agent Orange, Dalkon Shield, Bjork-Shiley heart valves, the drugs DES and Bendectin, asbestos, breast implants and tobacco. Some of these claims have massively hit the American corporate world, sometimes for many millions, even billions, of dollars. Nothing has been seen in the UK that remotely matches the scale and impact of those claims.

In Britain there have been a number of disasters and other group claims, but in no case have the defendants paid out more than a few millions of pounds, a tiny fraction of the US settlements. The personal injury system in the UK is no more than an irritant to British companies in the US. It can bring a company to its knees.

In America it is jurors, rather than the British judge, who determine personal injury claims. There is no question but that the level

of proof, albeit on the same "balance of probabilities" in the two systems, is much lower before a jury than before a judge. It is my view that a judge in the UK, faced with a ground-breaking decision and a reputation to protect, will tend to be more conservative than a jury, which is far more likely to give the plaintiff the benefit of the doubt and will probably be looking for a far lower level of proof.

As well as giving more favourable decisions for the plaintiff and generally awarding more substantial damages than is the case here, these members of the American public are also able to award punitive damages against companies when it is thought that they have acted in a way that demands society's punishment.

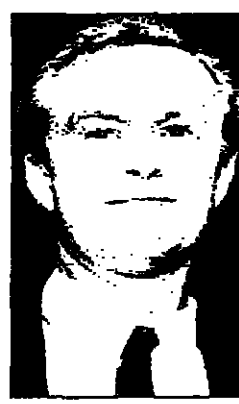
The money made by US lawyers is often used as an argument against the American system. Though I am certainly not advocating the extremes of this system, it does have some benefits. UK lawyers, not enjoying anything like the same rewards, are more inclined to take the safe option — not to take risks and not to put the pro bono time into developing new areas of work.

A good example of all this is the tobacco cases. In reading through the papers that have emerged from the industry over the past three years, what is crystal clear is that the greatest fear of the industry was being taken on not by the regulators in the US and UK, but by the US lawyers. The industry was successful in its strategy, defeating 400 individual claims, until it was taken on by the big guns of the plaintiffs' Bar, with all the many hundreds of millions of dollars at their disposal, primarily emanating from their successful asbestos claims. Recognising that its bluff had been called, the industry agreed to pay out \$368 billion, a mind-boggling sum.

I do not want to suggest that nothing is yet happening in Britain, and indeed tobacco is a good instance where we have decided to take the bull by the horns, but most of the claims are one-off actions, which are likely to have little overall impact on the defendant companies.

It is quite clear that the British personal injury system has moved towards the American way, but it still has an enormous distance to travel before our system goes about protecting the rights of the British citizen with the vigour of the Americans. Despite all its faults, the American system has a lot from which we could learn.

The author, senior partner of Leigh Day & Co, is acting for plaintiffs in the first tobacco-related claims in Britain.



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# Safety must always come first

Stephanie Trotter on the drawbacks of a new corporate killing offence

From Aberfan up to the Southall train crash in September, more than 1,000 victims have perished in tragedies for which companies could have been held liable. In addition, the TUC has announced a 20 per cent increase in deaths in the workplace.

Tomorrow the Health and Safety Executive will release its latest figures. Yet the law seems powerless to punish large companies.

The problem with the law of corporate manslaughter is the need to identify the controlling mind. The controlling officer will usually be a director. The only successful prosecution of a corporation for manslaughter by gross negligence was that of OLL Ltd. In that case, four teenagers on an activity holiday drowned while canoeing in Lyme Bay, Dorset.

The company was a one-man band whose "directing mind" was plainly that of its managing director, Peter Kite, who was sentenced to imprisonment. Contrast this with a large company, where the "safety officer" is often too lowly even to raise concerns with the directors.

Under the proposed new offence of corporate manslaughter, company directors would be severely dealt with and, if convicted, fined personally or jailed. There was a consensus that the Law Commission proposals are likely to become law.

The Law Commission was asked to review involuntary manslaughter as a whole. The new proposed offence of corporate killing has the advantage of being easier to prove, as it rests upon a management failure. But it has drawbacks. The punishment is an unlimited fine on the company (paid into government funds and, as a company expense, paid by the shareholders). The court will also have the power to impose a "remedial order".



Rescue services search Lyme Bay for the four teenagers who drowned after their canoes capsized during an activity holiday in Dorset

(restricted to, for example, the machine that caused the death, not a safety audit of the whole system). Unlike corporate manslaughter, corporate killing does not cover deaths abroad (except in restricted circumstances, such as oil platforms in the North Sea).

The new offence of corporate killing will mean that companies may face huge fines and a restricted remedial order can be made. But will this be enough to satisfy public concern? And will the new law encourage improved safety systems?

What is needed is a measure to make those with the day-to-day control more personally responsible and accountable. Obviously it is the directors who have the real control, but it is their duty to maximise profit for the shareholders. Effective safety systems are expensive and the risk of prosecution may seem worth taking, particularly by less scrupulous companies and directors.

One positive proposal would be to amend company law, making it compulsory for a director to be appointed as "safety director". There are those who maintain that it would not be possible to find someone willing to be safety director. I disagree, but there should be safeguards. Where other directors unreasonably refuse

the safety director's suggestions, it should be possible to prosecute the other directors and the company for manslaughter by gross negligence, not the safety director. The objection is that there would be an outcry if directors of large companies were sent to prison for the deaths of customers or employees. But nobody objects to directors being sent to prison for financial offences. If company law made directors more personally responsible, so that the controlling mind could be easily identified, would it be so necessary to change the criminal law of corporate manslaughter after all?

It is my belief that we could end up with a situation in which directors of smaller companies will face graver personal punishment than the bosses of big businesses.

But although they will suffer from the imposition of heavy fines and damage to reputation, you cannot put a company in jail and this in turn leads to an imbalance in the application of the law, because it will still remain easier to secure individual convictions against directors of small businesses.

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Edward Fennell on EMU's effect

## Make way for the euro

Are we heading for a millennium melt-down? Some lawyers are fearful that the double whammy of the euro's arrival and computing's year zero will wreck their clients' internal administration. Time is running out for many organisations to put in place the legal agreements necessary to tide them through a turbulent period.

The problem is complexity. Kathryn Shimmmin, a partner with the South Coast firm Blake Laphon, admits that there are few inquiries from businesses about preparing for the euro.

"They take the view that because the UK will not be involved in the first wave, they have nothing to worry about," she said.

However, the use of the euro among the UK's trading partners means that businesses will be affected. Even in the high street, Ms Shimmmin expects to see changes.

"People arriving at Southampton and Portsmouth with euros will expect to be able to use them," she said. "Marks & Spencer is introducing tills to deal with the euro and other retailers will be under pressure to do the same."

Meanwhile, David Halliday of Eversheds is beginning to see curiosity stirring among his clients. As a banking partner based in London, he is fully involved in the development of the euro and thinks that the CBI is doing a good job in briefing business.

"A number of our clients have attended Confederation of British Industry events and are now coming to see us to discuss the legal technicalities. Business will

find itself carried along by commercial pressures and start doing business in euros," he said.

Mr Halliday, pointing to his own firm, admits that like most British industry with overseas clients, it has been hit by the strength of the pound. "I can see myself dealing in euros rather than sterling once the single currency has arrived. I also envisage that customers from the Continent will want to pay in euros when offered a choice of currency."

Lawyers are preparing standard clauses to be inserted into contracts to take account of the euro.

Richard Thomas, a senior consultant with Pinsent Curtis, is helping the firm's American clients to get to grips with what economic and monetary union means for their investments in Western Europe.

"Although there is no indication of a shift in investments out of the UK, if we are not in the first wave, there is no question that American business is starting to take an intense commercial interest in what the developments are likely to entail."

Steven Philippschuh, a specialist in Ford at the niche firm Philippschuh Crawford Berwald, predicts that the transition period will give criminals a field day.

"Unless proper safeguards are put in place, a fraudster could seek to benefit by exploiting the inevitable teething problems that will be experienced by the introduction and unfamiliarity of the new currency, and by expediting cross-border payments at an earlier opportunity."

Customers will want to pay in euros when given a choice

## Small-firm bosses may suffer

THE offence of corporate killing will open the way for prosecutions against large corporations, but once successfully brought against the company, it is unlikely that senior executives will be personally punished.

This is ironic, because attempts to bring convictions for corporate manslaughter have always hinged on the ability of the prosecution to identify that a senior officer of a company — its so-called "directing mind" — had acted with gross negligence. With the need to

establish individual liability removed and the likelihood of successful convictions against big businesses increased, companies face the stigma of being branded corporate killers if acts of negligence for which they are held collectively responsible lead to the deaths of employees, customers, contractors or members of the public.

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in the application of the law, because it will still remain easier to secure individual convictions against directors of small businesses.

It is my belief that we could end up with a situation in which directors of smaller companies will face graver personal punishment than the bosses of big businesses.

GARETH WATKINS

The author is a partner with Nabarro Nathanson

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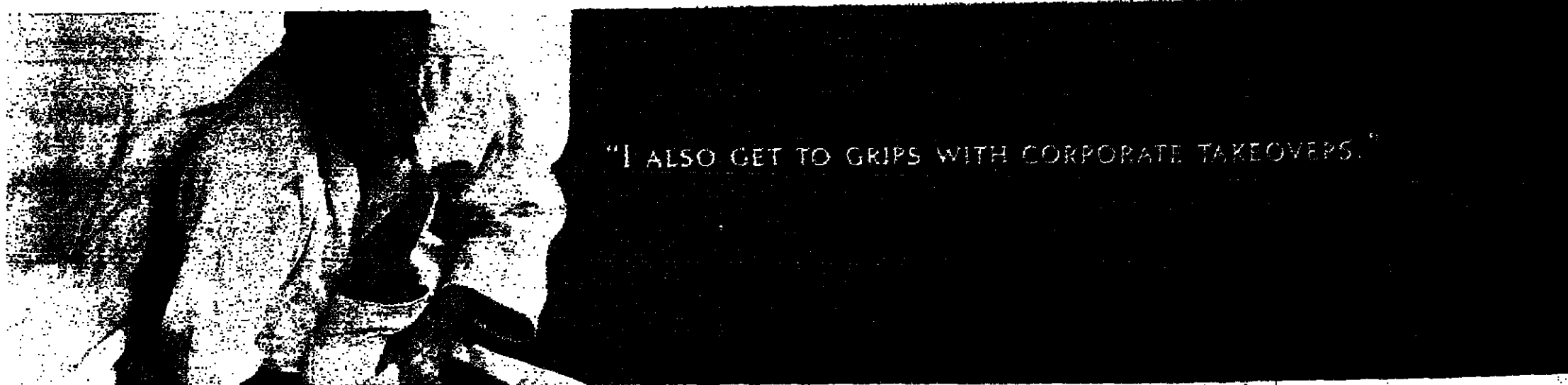
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\* The American Lawyer (Mid-level Associates Survey - Oct. 1996)

For further information, please contact our advising consultant Kechi Akalawu on 0171 404 4646 (0956 162 977 during evenings or weekends), or alternatively write to her at Daniels Bates Legal, 17 Red Lion Square, London WC1R 4QH. Fax: 0171 831 7969. E-mail: hmggroup@hmggroup.co.uk

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### Jersey, Channel Islands COMPANY/COMMERCIAL LAWYER

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#### The Company

A leading Jersey commercial law firm and one of the oldest established legal practices. A high proportion of the firm's senior lawyers are recognised leaders in their fields of experience and have particular expertise in company and commercial, trusts, banking and financial services work.

#### The Location

Jersey is the largest and most southerly of the British Channel Islands. It is a low tax independent jurisdiction with one of the highest standards of living in the western world.

#### The Role

This is an exciting opportunity for a city practitioner to join a dynamic team in an expanding, progressive department with a strong international corporate and private client base. Reporting to a senior partner, the successful candidate will work within a small team to assist in a wide range of commercial transactions.

#### The Requirements

- 3-5 years post qualification experience
- Good all-round corporate / commercial law experience, preferably gained in a large city law firm
- Able to demonstrate a high level of expertise in securitisation, debt issues and a knowledge of investment, banking and trust work
- Leadership and entrepreneurial qualities
- Strong interpersonal skills, with a natural ability to build and maintain client relationships
- A willingness to qualify as a Jersey Advocate / Solicitor

A highly competitive remuneration package, and prospects for career progression and partnership are excellent. The successful candidate will qualify as an essential employee for Jersey Housing purposes.

Please reply with full details to Rosy Dessain or Ian Thomas, quoting reference MV/181/134. Closing date for applications Monday 24 November

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If you're between 6 months and 2 years qualified, specialising in company commercial law with a leading City or regional commercial firm, have enthusiasm, the confidence to make decisions and the personality to work one to one with senior management, the case load could be yours.

Help us to bring our business objectives within reach and you can expect a competitive salary and benefits package including performance related bonus, share options, company car and other benefits.

To apply, write convincing us that you've got what it takes, to Clare Wilkinson, Resourcing Department, ASDA Stores Ltd, ASDA House, Great Wilton Street, Leeds LS11 5AD, or apply on-line at <http://aps.asda.com/ads>



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If international project work is your game, then you will make your name as a leading City practice. You are guaranteed a very broad spread of work as well as full support and career development. A superb firm (and maybe best move for a 2-5 years qualified project/transaction lawyer. Ref: T23335

To £70,000

### CORPORATE INSURANCE

Join at the start of something big. This highly regarded City firm has a small yet rapidly developing insurance practice, seeking for some very substantial insurance clients. The firm is now seeking to recruit a solicitor with 3-6 years' post to work as number 2. Your background may be in company/commercial, insurance or regulatory. Ref: T44389

To £70,000

### TAX

2-5 years qualified corporate tax lawyer sought to join the team of highly regarded medium-sized City firm. Very broad range of corporate tax work to include corporate support. Plenty of opportunity to specialise if desired. Ref: T44730

To £70,000

### PROPERTY

This firm has one of the largest property practices in the City. This means quality work, but without compromising on client contact. A solicitor with 1-5 years' post is sought for full range of commercial property work including development, institutional and finance. Ref: T38793

To £70,000

### MEDIA/COMMUNICATIONS

Progressive and entrepreneurial commercial firm with established City team seeks solicitors with 4-7 years' post. The practice is dealing with some of the most exciting work in this sector including telecoms, multimedia and broadcasting. Outstanding opportunity to represent clients at the cutting edge of this field. Ref: T37466

To £75,000

### PENSIONS

Secure your long-term future by joining the top 20 City firm's experienced and crucial pensions department. You will play a key role across the firm's work and will be richly rewarded for it if you can show 1-2 years' post and solid pensions experience. There are real career opportunities here. Ref: T38175

To £38,000

### CORP/CAP. MARKETS

You could outpace your career into a new league if you head out to the City where all the truly sexy emerging markets work is. Now better to join than this truly global law firm with a well-established presence in Moscow. The exciting edge quality of the work will launch your career far quicker than staying in London if you are a corporate/capital markets lawyer. Ref: T18385

To £67,000

### CORPORATE

If you are looking for a firm which is interesting and dynamic and wants its corporate lawyers to enjoy their work then look no further than this medium sized City practice if you have 0-5 years' post. They are consistently being joined by talented lawyers. Ref: T23999

To £55,000

### PROPERTY - FOR FINANCE

You are an 18 month to 3 1/2 year qualified property lawyer and you don't necessarily have any finance experience but you are very keen to move your career in this direction and to a firm which will train you and which has an excellent reputation for its property work. You are an excellent negotiator and a team player - there are few options like this around. Ref: T44618

To £45,000

### SHIPPING

A shipping firm with a recognised brand name in the market is seeking a solicitor with 1-4 years' post with specific shipping experience to undertake burgeoning day work. With a strong academic background and robust personality this is an opportunity to let your career take off with a leading niche player. Ref: T29193

£52,000

### RE-INSURANCE

Excellent opportunity within this specialist but burgeoning area of law. This is a rare opportunity to join an established and lively team within a small, well respected City firm if you have 1-4 years' post and relevant experience. Ref: T36306

£52,000

### CONSTRUCTION

You have got 3-5 years' post in construction (preferably a mix of contentious and non contentious) and you want to join a City firm which is keen to advance in your area. The firm has for a wide range of clients and is looking for a young enthusiastic lawyer to join a team already punching above its weight. Ref: T44081

To £55,000

### PLANNING/ENVIRONMENT

Planning for the future? Then look no further than this top 10 City firm, where you are as important as your work. It offers a very strong training and career development programme to a planning/environment lawyer with 0-3 years' post who has designs on making it all the way to the top. Ref: T44485

To £40,000

### EMPLOYMENT

This niche firm is highly ranked for the quality of its employment work. Looking for junior employment lawyers at 0-3 years' post to join its established team, this should provide an excellent opportunity to position yourself in a firm that regard this area of law as central to the core strategy and where you will be doing more than just corporate support. Ref: T27775

£67,000



QUARRY DOUGAL

For further information, in complete confidence, please contact Kate Sutcliffe, Adrian Fox or Sarah David (all qualified lawyers) on 0171-405 4062 (0956 549203 or 0171-286 3079 evenings/weekends) or write to them at Quarry Dougal Recruitment, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171-831 6394.

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## IN-HOUSE LAWYER

LONDON

1-4 Years' Pqe

Founded in 1962, Service Corporation International is an American owned service provider with a global presence focusing on North America, Europe and the Pacific Rim. Its annual revenues exceed US\$2.3 billion and it has a worldwide staff of more than 34,000.

The importance of its European presence through its subsidiary Service Corporation International plc cannot be over-emphasised and with an extensive acquisition programme and proven management techniques, SCI intends to extend its strategy of selective domestic and international expansion alongside continued revenue growth.

As part of this continued growth in Europe, the London based Legal Counsel seeks a mainstream company/commercial lawyer from either a private practice or industry background. The work will be broad ranging corporate transactions, focusing on acquisitions but will also include more general commercial work from marketing and employment issues to intellectual property and information technology contracts. In-depth legal knowledge and excellent technical skills are pre-requisite as is a diplomatic but assertive personality, to thrive in a highly commercial but extremely sensitive sector.

This is an exceptional opportunity to join a market leader and play a key role in their ambitious but focused growth plans. On offer is an excellent remuneration package including high base salary, discretionary bonus and additional benefits.



For further information in complete confidence please contact Rebecca Errington (qualified lawyer) on 0171-405 6062 (0181-293 8520 evenings/weekends) or write to her at QD In-House Legal, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax 0171-831 6394. This assignment is being handled on an exclusive basis by QD In-House Legal - all third party applications will be forwarded to QD for consideration.

## Regional Legal Affairs Director

Merck & Co., Inc. Whitehouse Station, NJ, USA, is a global research-driven pharmaceutical company that discovers, develops, manufactures and markets a broad range of human health products.



MSD

BRUSSELS BASED POSITION

Merck & Co., Inc. recognises that the ability to excel depends on the integrity, imagination, knowledge and skill of its employees. It strives to create working environments which foster mutual encouragement and team-work and reward commitment and performance while being responsive to the needs of employees.

A position has now arisen for an attorney fluent in English and preferably at least one other European language to be based in Brussels.

Experience in competition and intellectual property law together with transactional matters (including licensing and distribution agreements) is essential together with an understanding of the workings of the European Commission. In addition, a flexible approach and willingness to handle a variety of commercial affairs will be necessary. This is a senior position, reporting to two regional vice-presidents, and will require the successful candidate to demonstrate strong analytical and communication skills.

Travel within Europe also will be required. The successful candidate can expect a competitive remuneration package.

For further details please contact Aileen Shepherd, Morwenna Lewis or Sonya Rayner or send them a copy of your C.V. Alternatively e-mail: [AileenShepherd@chambersrecruitment.co.uk](mailto:AileenShepherd@chambersrecruitment.co.uk). This assignment is being handled, on an exclusive basis.



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## COMPANY LAWYER

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That explains why we are looking for someone with 2-5 years' generalist experience gained in a major plc - ideally within the service sector. Proven expertise in

contract negotiation is essential and a knowledge of employment law would be a big asset. Equally important, you must be a strong team player - combining commercial acumen with the ability to solve problems and deliver results against tight deadlines.

In return, you can look forward to an excellent salary and major company benefits. However, the biggest attraction of all must be the opportunity to work with a rapidly-expanding, award-winning company. A company with a unique corporate culture and a reputation for actively supporting the professional development of all its employees.

To apply, please send CV and covering letter including current salary to Gill Davis, HR Consultant at the HR Department, PHH Europe plc, PHH Centre, Windmill Hill, Swindon, Wiltshire SN5 6PE. Alternatively, please use our confidential fax 01793 884497.

PHH

## International Banking Lawyers

As one of the leading City based international law firms, Norton Rose offers a service that is designed to meet the needs of the most demanding clients around the world. Our highly successful Banking Department now needs exceptional lawyers to increase the already considerable resources across a number of key areas:

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- Insolvency
- Acquisition Finance

The Department needs individuals with character and resourcefulness, high achievers who are commercially aware and excited by the prospect of working on major projects in the UK and around the world. Lawyers with up to four years' relevant experience will be considered.

We can offer successful applicants the opportunity to develop their skills across a wide and varied range of challenging and stimulating projects, working in close contact with major international financial and corporate clients in a supportive team environment.

For further information and details of our opportunities for career development, highly competitive salary and benefits package please send your CV to Celia Staples.



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## LEGAL ADVISOR Oil & Gas Exploration & Production

Oryx UK Energy Company is a subsidiary of the Dallas based Oryx Energy Company, one of the largest independent oil and gas companies in the world. In the UK, Oryx operates the Ninian, Hutton, Murchison and Lyell fields. Its interests embrace exploration, production, transportation and onshore facilities.

Oryx UK Energy Company is head-quartered in Aberdeen where it now has an excellent opportunity for an oil industry lawyer. Reporting to the Legal Manager, your wide-ranging role will involve you in providing legal expertise on all aspects of the company's business. This will include providing legal expertise in commercial negotiations and advice to senior management.

You must be a solicitor or barrister with 5-7 years post qualification oil industry experience. Your knowledge of the commercial and legal principles applicable to agreements encountered in exploration, appraisal, development and production should be complemented by excellent drafting skills.

A key element for success will be the establishment of effective relationships at senior levels based on respect for the quality of your advice and the perception of you as a facilitator of

business. The compensation package will be tailored to attract the highest calibre applicants.

For a confidential discussion concerning this appointment telephone either David Jones or Barbara Digby on 0118 946 3030.

Alternatively, write to them with career and remuneration details at Digby Jay Jones, Oil & Gas Search & Selection, The Atrium Court, Apex Plaza, Reading, Berkshire RG1 1AX. Fax: 0118 946 3715.



ORYX



DeLaRue

## Assistant Company Secretary

LONDON WC2

££40,000 + CAR + BENEFITS

### Company Profile

De La Rue plc is the world's leading cash to cards group. It is involved in the production of over 150 national currencies and a wide range of security documents. It also supplies cash handling and security equipment as well as identity, electronic payment and smart card systems. Turnover is \$770 million with significant overseas assets and income.

### Role

You will be a key member of a small Head Office team, assisting the Company Secretary in providing a comprehensive and proactive support function to the board and to UK and overseas subsidiary companies. This role will encompass all aspects of Stock Exchange and statutory compliance, share scheme administration, Annual Report input, AGM co-ordination and a range of project based responsibilities.

### Candidate

You must hold an appropriate professional qualification backed by several years' experience in a sizeable public company with a progressive, IT supported, company secretarial function. Familiarity with the corporate administration requirement of an international group would be helpful. You will need to work effectively under pressure and your career to date should demonstrate your ability to innovate, add value, and to establish effective working relationships. You must be computer literate.

Please write, in confidence, with full career and salary details to Sue Matheson at MSL Search and Selection, 178-202 Great Portland Street, London W1N 6JJ. Please quote reference 64680.



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For further information contact:

Louise Barker, LPC Administrator, 0117 976 3976

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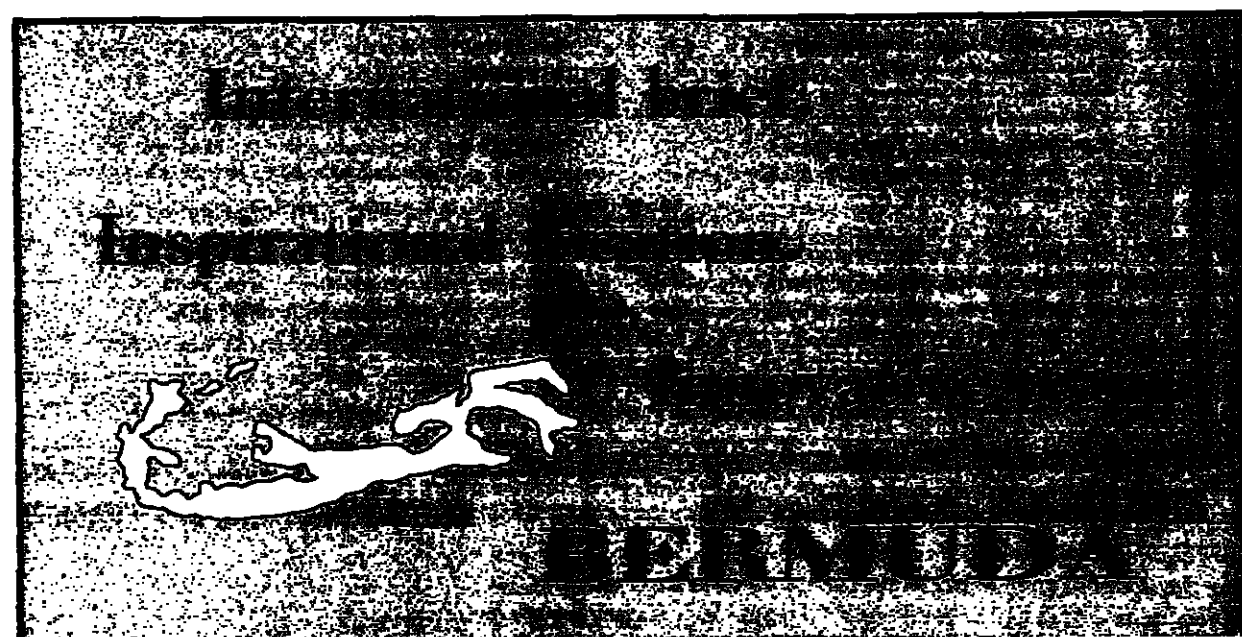
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### Chief Legal Officer & Head of Operations Competitive Package

Fidelity is the world's largest independent investment management organisation, controlling assets in excess of \$600 billion, on behalf of 12 million\* customers worldwide. Our international headquarters are based in Bermuda and we are now looking for an individual with the calibre and expertise to take responsibility for all international corporate legal affairs, as well as the management of all operational functions in Bermuda.

Your global influence will extend across corporate borrowing, joint ventures, pricing agreements and strategic alliance agreements, as well as Fidelity trademarks and intellectual property - with additional responsibility for our investment compliance, corporate secretarial and fund treasury operations. Your brief will involve significant contribution at both strategic and day-to-day levels, demanding strong corporate

direction and the ability to manage a diverse team of professionals. At least ten years' post-qualification experience gained at senior level in a major financial centre is essential, together with demonstrable management and leadership skills. Beyond that, a thorough knowledge of offshore mutual funds, US and European compliance and regulatory issues is important, with a strong grasp of intellectual property law and the registration/maintenance of trademarks.

The package offered is highly competitive, though the real reward lies in an outstanding opportunity to influence the phenomenal growth of the world's most innovative investment expertise. If you have the experience and the gravitas for such a role, please contact Katherine Atkinson, Fidelity Investments, Oakhill House, 130 Tonbridge Road, Hildenborough, Kent TN11 9DZ. Fax: 01732 832792.

Fidelity Investments

\* Resources as at 30/9/97 include those of FMR Corp., a US Company and affiliates, listed by Fidelity Investment Management Ltd, OC2820.

## PRACTICE

## IN-HOUSE

### CONSULTANT - OVERSEAS MARKET

If you are interested in recruitment and are commercial, proactive, ambitious, confident and work equally well independently or as part of a team we would like to hear from you. The rewards can be extremely attractive and are results orientated giving you control of your own earning power. We are currently seeking an additional consultant to deal with the Overseas Private Practice market and for further information contact Laurence Simons personally.

### Project Finance

A premier City firm, our client has a requirement for an experienced project finance lawyer. You will ideally have between 2 and 4 years relevant experience but applications will be considered from project lawyers with a strong background at any level. Contact Jane Foster. Ref: 1029

### Fund Management/F&A

Based within the Corporate Department, The Financial Services Group of this well known City practice seeks a lawyer to assist in the provision of specialist legal advice and services in relation to launches, investment funds, unit trusts, LPs and a wide range of financial services products. Contact Jane Foster. Ref: 1471

### Company/Commercial

This established commercial practice seeks a company/commercial solicitor with up to 3 years experience. A full range of work is offered including public and private corporate law, banking and finance and aircraft acquisitions. This is an exciting opportunity to flourish in a small team. Contact Samantha Knowles. Ref: 1481

### Commercial

Our client specialises in business law both in the domestic and international markets. Due to rapid growth they are looking to appoint solicitors at all levels of post qualification experience in the following non-contentious areas: corporate, finance, intellectual property, telecoms, insurance, commercial property, immigration, employment, banking and anti-trust. Contact Samantha Knowles. Ref: 1904

### Employment Law

The employment law unit of this major practice enjoys a leading reputation in the North East. There are currently vacancies in the team for lawyers 2-3 years qualified who have experience of acting for large commercial clients. Contact Andre Field. Ref: 1574

### Commercial Contracts

This is a chance for a 3-5 year qualified commercial lawyer to play a prominent role in developing this major commercial practice's approach to the fields of equipment purchase, trading agreements, equipment leasing and consignment agreements. Contact Andre Field. Ref: 983

### US ATTORNEY

If you are US qualified and trained and have around 5 years international or European general commercial experience, then our client which is a leader in the high tech field would like to hear from you. The position is Dublin based and offers excellent prospects for the right candidate. Contact Naveen Tuli. Ref: 114

### European Lawyers

We currently have instructions throughout Europe for lawyers with between 2 and 6 years company and commercial experience gained from a well known firm or other multinational. In particular, we would like to hear from well qualified Italian, German, French and Belgian lawyers. Contact Naveen Tuli. Ref: 3083

### INTERNATIONAL ROLES WITH A BLUE-CHIP UK, CENTRAL & SOUTH AMERICA, MIDDLE EAST, RUSSIA / CIS

Our client is a prestigious household name multinational. As part of a reorganisation of the in-house legal function applications are invited from lawyers with between 2 and 7 years high quality corporate experience gained from leading law firms. There are several roles on offer and whilst the UK positions do not require languages, fluency in Spanish or Russian is a distinct advantage for the others. Contact Rachael North. Ref: 3068

### Banking Litigation/Compliance

This is an excellent opportunity to join a major international investment bank. The role is largely autonomous and the successful candidate will be expected to supervise litigation, arbitration and regulatory investigations in several jurisdictions. Contact St. John Whittle. Ref: 3080

### Emerging Markets/Derivatives

This leading international inter-dealer brokerage firm specialises in emerging market debt, money market instruments and derivatives, and now requires a 5-8 year qualified lawyer to act as UK general counsel. This is a board level appointment and an exciting opportunity to join this rapidly expanding organisation. Contact St. John Whittle. Ref: 3069

### UK Lawyers in the USA

UK derivatives lawyers are sought to join this major international oil and gas corporation in southern USA. This is an excellent opportunity to relocate, enhance your career and improve your quality of life. Contact St. John Whittle. Ref: 3070



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# CRC technology IP LAWYER

## 2-7 Years' pge

As a subsidiary of the Cancer Research Campaign, CRC Technology was established to make possible the transfer of promising advances in research to development, and ultimately delivery to the cancer patient. The company now also provides that service to other charities both in the UK and overseas.

As in-house counsel for this London based company, your main responsibility will be drafting and negotiating agreements relating to the development and licensing of promising research findings, primarily alliances between CRC funded research groups and pharmaceutical/bio-tech companies. You will work closely with project managers internally and also be responsible for liaising with the company's external lawyers and the appropriate officers of the CRC.

As an experienced IP lawyer with between 2-7 years' pge, you will ideally have a scientific background and/or experience in the pharmaceuticals or biotech area. Practical in your approach, you will have the flexibility to fit into this small, close-knit team and with the ability and confidence to act as sole in-house counsel. You can expect excellent and varied work, good remuneration, as well as the knowledge that your day to day work directly assists in the fight against cancer.



For further information in complete confidence please contact Rebecca Errington or Stephen Leary (qualified lawyers) on 0171 405 6662 (0171 537 9375 evenings/weekends) or write to them at QD In-House Legal, 37-41 Bedford Row, London, WC1R 4EJ. Confidential Fax 0171 831 6394. This assignment is being handled on an exclusive basis and all direct and third party applications will be forwarded to QD for consideration.

# PRIVATE PRACTICE & IN-HOUSE

## US SECURITIES

Top Tier firm with an enviable international client base seeks US qualified lawyers with relevant securities experience at all levels. For an ambitious and energetic lawyer this represents an excellent opportunity to help create a "one stop shop" service for the firm's leading corporate and investment banking clients. (Ref 19500)

## WALL STREET RATES

Fast growing Singapore office of leading City firm seeks 2-4 year banking lawyer to join close-knit team involved in big ticket work. Some project finance experience would be ideal, but more important is an enthusiastic approach and interest in the region, as travel will be required. Great opportunity to join a market leader. (Ref 230771)

## FINANCE - SINGAPORE

Fast growing Singapore office of leading City firm seeks 2-4 year banking lawyer to join close-knit team involved in big ticket work. Some project finance experience would be ideal, but more important is an enthusiastic approach and interest in the region, as travel will be required. Great opportunity to join a market leader. (Ref 230771)

## EXCELLENT

## PROPERTY FINANCE

Usually for a top tier New York firm, our client has been active in acquiring commercial and non-commercial properties for its London office, and is now looking for assistance in property finance. A number of UK lawyers have already joined the firm, and there is a clear intent to build a genuine, full service multi-national partnership. Exceptional rates of pay. (Ref 20411)

## EXCELLENT

Our client, one of the best known global companies, has several new vacancies for lawyers to be based in the UK, Central/South America, Russia and the Middle East. Urgent: abilities in the chosen destination are necessary but, that aside, all that is needed is a proactive commercial approach and sound company/commercial experience. The range of experience that will be considered varies from newly qualified to senior partner level, depending on position. (Ref 221164)

## TELECOMS

Top five firm with highly regarded UK and international telecoms practice seeks up to 5 year telecoms lawyer who is keen to capitalise on his/her talent and potential. Flexibility means the group also welcomes technically gifted corporate lawyers looking to specialise in this burgeoning sector. An excellent opportunity to work for one of the leading players. (Ref 21019)

## TO £65,000

## COMMERCIAL LITIGATION

Consistent to enjoy a first class reputation in litigation, our client is looking for motivated lawyers, ideally between 3-5 years' qualified who possess not only the intelligence required to handle demanding work but who can also display commercial acumen and the ability to mix with clients and colleagues alike. Work will include a mix of general commercial litigation and professional negligence. (Ref 18487)

## TO £50,000

## IN-HOUSE CO-OP

International commodities and trading company seeks 3 years' plus company/commercial lawyer, preferably with some experience of, or interest in, international trade commodities. Will play a commercial role advising senior management on joint ventures, acquisitions and disposals world-wide, particularly focused on emerging markets. Relaxed work environment in central London with opportunities to travel and grow the legal function. (Ref 16764)

## £50,000-£60,000+BENEFITS

## IN-HOUSE REG.COM

Fast growing financial services company outside London seeks articulate lawyer with 3-5 years' corporate experience and, ideally, some knowledge of financial services. Wide range of work, with increasing international focus, including M&A, joint ventures, distribution agreements, new products and regulatory issues. Reporting to the Board, this is an exciting opportunity to enjoy high quality work whilst improving your quality of life. (Ref 20992)

## TO £50,000+BENEFITS

## ENERGY

Top tier firm with superb energy team seeks a 1-4 year energy/corporate lawyer for their fast expanding domestic and international practice. A wide ranging caseload, both upstream and downstream, will attract commercially adept lawyers motivated by high quality work who wish to specialise in the developments at the cutting edge in this dynamic market. (Ref 20797)

## TO £50,000

## INSOLVENCY

London office of highly successful national firm seeks 3-5 year insolvency lawyers (commercial & non-commercial) to join high profile team with a "can do" approach. If you are flexible and thrive in a busy environment, please apply. Those with banking, finance and recovery experience, wishing to focus on corporate recovery, will also be considered. (Ref 17817)

For further information on these, and the many other vacancies registered with us, please contact Andy Casfield or Andy Golding (both qualified lawyers) on 0171-523 3838 (01483-828110 evenings/weekends). For in-house vacancies please contact Yasmin Phillips on 0171-523 3822 (0171-376 4968 evenings/weekends) or write to us at ZMB, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential Fax 0171-523 3839. E-mail andy@zmb.co.uk

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Linklaters has been established in Asia for more than 20 years. The Singapore office has grown since its establishment in 1992 to more than 30 lawyers, recruited locally and seconded from London. Our success in the region is attributable to our broad experience in international project finance, as well as our policy of being highly responsive to clients' commercial objectives by ensuring we understand their businesses and needs.

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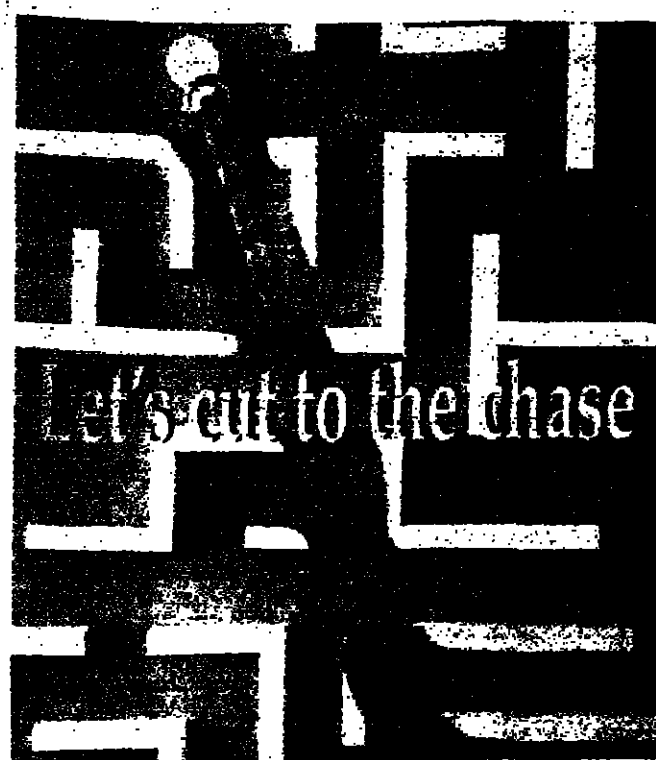
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Alternatively, contact our recruitment advisers at Quarry Douglall, William Cook in London on 0171-465 6662 or Chris Cayley in Birmingham on 0121-212 9555 (01242 241377 evenings/weekends) or write to Quarry Douglall Recruitment, Cornwell Buildings, 45 Newhall Street, Birmingham B3 3QF. Confidentiality fax 0121-212 9777.

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#### Competition for lawyers

The shortage of lawyers on the job-market is causing intense competition among law firms. City firms are battling among themselves. They are also having to compete against US firms, accountants' practices, and major law firms in the North.

Lawyers working for commercial firms in the North of England are attractive to City firms. They have a reputation for being commercially aware. They make good technicians. In addition, they are usually excellent lawyers with solid legal experience. For the northern candidates, City firms are attractive because they offer more international experience and a workload of complex, high-value transactions.

This recruitment battle is reflected in current salary trends. Our survey of City salaries, following the Spring/Summer reviews, showed assistant solicitors to be earning £30,000 at newly qualified level rising to over £50,000 at the 5-year level. These high salaries have prompted a response from the large firms in the North. They are offering salaries rivalled from City firms salaries that match or even exceed City rates. And they are offering the prospect of partnership at an earlier age.

The battle for candidates will continue until the next recession sets in. When this will be anyone's guess, but those who remember the recruitment scene in the 1980s may sense some similarities with the market in 1997. This would give us a couple of boom years to come.

Michael Chambers

### INDUSTRY Sonya Rayner, Fiona Boxall, Morwenna Lewis, Aileen Shepherd

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**Contracts Administrator: Surrey** International energy company seeks an experienced contracts lawyer to advise the operating divisions on a variety of contractual matters including amendments to standard terms and conditions.

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**Senior Commercial Property: City** Leading property practice, inundated with high quality work, seeks 8-12 year qualified solr. May suit solr who left the City during recession and now wishes to return.

**Senior Property Litigation: Surrey** Substantial commercial firm seeks property litigator minimum 3 years' experience with proactive approach to business development, for senior role. £ Excellent.



## Alan Lee meets a Borders trainer intent on plundering more Cheltenham prizes

## Parker sparks ambitions of Gold Cup glory

In the converted farm buildings that comprise Colin Parker's homely yard on the Scottish borders, Sparky Gayle has the smallest box but much the tallest reputation. On Saturday, he will appear in either the Murphy's Gold Cup at Cheltenham or Ayr's Sean Graham Chase, defending an unbeaten record over fences that is already feeding some dizzy ambitions.

Parker admits he is tempted by the big prize and a long list of likely defections at Cheltenham, but will study the entries closely before making a decision. But whichever engagement Sparky Gayle accepts, there will be no shortage of confidence. Parker and Ray Green, the owner, have been mapping out a seasonal campaign for the seven-year-old and its successful execution would see them descending on Cheltenham next March intent on stripping Mr Mulligan of his crown.

"Sparky" is no stranger to the Festival. Two seasons ago, he was fifth in the Coral Cup Hurdle and last March he was an impressive winner of the Cathcart Chase. Parker, who had told anyone who asked that his horse would win, did not linger to celebrate. "I didn't even have a drink," he recalls. "I had to drive the horse home that evening."

This reveals plenty about the workings of Douglas Hall Farm, which is as far removed from the factory-fuel training centres as is possible to imagine. It is a family operation, conducted by Colin, his wife Janet, and their two jockey sons, Andrew and Dave. There is nothing there they have not built themselves and nothing about the horses they do not know.

The trainer himself is a quiet, assessing Cumberland. Parker, 52, sums himself up thus: "I don't say much but I do a lot. I suppose I'm a bit of a workaholic." A tour of his land verifies this view and explains why his horses are extremely fit and strikingly laid-back.

Parker, who had ridden professionally but unspectacularly on the northern circuit, spent seven years as head lad to Gordon Richards at Penrith before, in 1979, moving a dozen miles across the border "looking for a quieter life". He rented the farmhouse in which he still lives, a mile up a potholed track to nowhere, and for four years devoted his



Parker and Sparky Gayle are casting their eyes on Mr Mulligan's crown at the Cheltenham Festival next March. Photograph: Ian Stewart

energies to breaking-in young horses. "I was always intending to train but we couldn't afford it at first. This place also needed a lot of hard graft. Most of it was derelict and we created the boxes out of old cow sheds and a cottage that Janet and I knocked down ourselves."

His big break was a chance introduction to Raymond Anderson Green, then a force in City banking and property investment. Green was looking to get into racing and Parker bought him a foal. The interest grew and their first winner together was Brandy Hambro, who is still on the farm, living contentedly with the yearlings. In the 12 years since then, Parker has trained almost 100 winners for Green, who semi-retired from business at 40 and now owns 75 per cent of the horses in the yard.

"I always said I would never have an owner with more than three, because the risk in losing him would be too high," Parker said. "This seems different. Ray is more than an owner, he is a good friend and very much part of our team. He has such a quick mind and devotes a lot of time to the race planning."

Four years ago, it was Green who bought the adjoining farmland that allowed Parker to augment his facilities with one of the finest all-weather gallops in the country — a half-mile circuit, linked by a two-furlong straight to a steep, five-furlong climb. The woodchips were laid to a depth of ten inches and the work was largely done by Parker and his sons.

The stable star, however, does not give much indication of his talent on the morning gallops. Son Andrew, 28, who

lives in a farm cottage and rides out Sparky Gayle every day, said: "A selling plater could beat him at home." His father agrees. "He shows us nothing here, he is so relaxed. It wasn't always this way — he beat me once as a four-year-old."

The Parkers always suspected they had something special, from the time Sparky Gayle — bought for 20,000 guineas at the 1993 Derby Sale at Fairyhouse — travelled back to Ireland to win a bumper at Downpatrick, sponsored by his owner.

Six wins last season established him in many minds as a horse to follow. Now, inevitably, sights must be raised. After his weekend exertions he is likely to be aimed at the

Hennessy Cognac Gold Cup at Newbury later this month, then pick his path through the major staying handicaps on his way back to the Cheltenham Festival. The prospect pleases Parker but does not worry him. "I don't fret about anything. I'm an easy-going fellow who just likes to get on with his job."

Come March, nothing will change. Parker, indeed, will probably follow his usual routine, leave the racecourse without so much as a glass of champagne and drive the horse back to Scotland. Only then, as he gazes from his kitchen window across the unblemished view towards the Solway Firth, might he allow himself to crack a smile and a bottle.

Only late on, when Ricky Ponting and Paul Reiffel stepped up the tempo, did the batsmen gain the upper hand on a placid wicket. When Taylor called a halt at 294 for six, Ponting was unbeaten on 73 off 84 balls, after hitting two sixes and seven fours against a tiring attack. The Tasmanian was visibly frustrated at being denied the opportunity to record his second century.

Australia's first innings: 373 (M. A. Taylor 112, P. Reiffel 77, S. D. Mitchell 47, C. L. Cairns 49).

Second innings: M. A. Taylor 112, P. Reiffel 77, S. D. Mitchell 47, C. L. Cairns 49.

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Only late on, when Ricky Ponting and Paul Reiffel stepped up the tempo, did the batsmen gain the upper hand on a placid wicket. When Taylor called a halt at 294 for six, Ponting was unbeaten on 73 off 84 balls, after hitting two sixes and seven fours against a tiring attack. The Tasmanian was visibly frustrated at being denied the opportunity to record his second century.

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**RICHARD EVANS**  
Newbury House Captain  
(2.50 Newbury)  
House Captain showed improved form to win a decent handicap hurdle at Ayr in April and is expected to continue where he left off. His defeat of Sheffield and Tullymore left little doubt as to his quality.

Next best: Peace (3.40 Ludlow)  
Hennessy Cognac Gold Cup at Newbury later this month, then pick his path through the major staying handicaps on his way back to the Cheltenham Festival. The prospect pleases Parker but does not worry him. "I don't fret about anything. I'm an easy-going fellow who just likes to get on with his job."

Come March, nothing will change. Parker, indeed, will probably follow his usual routine, leave the racecourse without so much as a glass of champagne and drive the horse back to Scotland. Only then, as he gazes from his kitchen window across the unblemished view towards the Solway Firth, might he allow himself to crack a smile and a bottle.

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## CRICKET

## Australia made to graft for advantage

MARK TAYLOR, the Australia captain, set New Zealand a victory target of 319 after his batsmen tottered for runs on the fourth day of the first Test in Brisbane yesterday. Bryan Young and Blair Cottrell, the New Zealand opening pair, then survived a nervous three overs to reach four for no wicket at the close.

Accurate bowling by New Zealand delayed Taylor's declaration until 20 minutes before close of play. Before tea, the scoring rate was only a fraction more than two runs an over as Greg Blewett amassed a patient 91.

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## Lawyer

& Excellent

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## THUNDERER

1.20 Green Green Desert 2.50 House Captain  
1.50 Single Sourcing 3.20 SANMARTINO (nap)  
2.20 Super Tactics 3.50 Running De Cersy

GOING: GOOD TO FIRM (CHASE COURSE); GOOD (HURDLES) SIS

**1.20 PENWORTH MOVIES CHASE (24.184: 2m 10) (2 runners)**  
1. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
2. 4-12222 FORTUNE 12 (J. Green) 12.00  
BETTING: 1-1 Green Green Desert, 9-4 Fortune.

**1.50 SEVEN BARROWS MOVIES CHASE (24.181: 2m 10) (3 runners)**  
1. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
2. 4-12222 FORTUNE 12 (J. Green) 12.00  
3. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
BETTING: 1-1 Green Green Desert, 9-4 Fortune.

**2.20 WILTSHIRE HANDICAP CHASE (27.430: 2m 40) (3 runners)**  
1. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
2. 4-12222 FORTUNE 12 (J. Green) 12.00  
3. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
BETTING: 1-1 Green Green Desert, 9-4 Fortune.

**2.50 NEWBURY AUTUMN HURDLE (24.422: 2m 10) (4 runners)**  
1. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
2. 4-12222 FORTUNE 12 (J. Green) 12.00  
3. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
4. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
BETTING: 1-1 Green Green Desert, 9-4 Fortune.

**3.50 CRUX EASTON JUVENILE HURDLE (31.40: 2m 10) (3 runners)**  
1. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
2. 4-12222 FORTUNE 12 (J. Green) 12.00  
3. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
BETTING: 1-1 Green Green Desert, 9-4 Fortune.

**COURSE SPECIALISTS**

**Carlisle**  
Going: good to firm  
1.00 (2m 10) (2 runners)  
1. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
2. 4-12222 FORTUNE 12 (J. Green) 12.00  
BETTING: 1-1 Green Green Desert, 9-4 Fortune.

**Fontwell Park**  
Going: good to soft  
1.00 (2m 10) (2 runners)  
1. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
2. 4-12222 FORTUNE 12 (J. Green) 12.00  
BETTING: 1-1 Green Green Desert, 9-4 Fortune.

**Lingfield Park**  
Going: standard  
1.00 (2m 10) (2 runners)  
1. 100-11 GREEN GREEN DESERT 12 (J. Green) 12.00  
2. 4-12222 FORTUNE 12 (J. Green) 12.00  
BETTING: 1-1 Green Green Desert, 9-4 Fortune.

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## FOOTBALL

# Aitken pays price for Aberdeen's early predicament

ROY AITKEN, dismissed by Aberdeen yesterday, said that his time as manager at Pittodrie had witnessed "more ups than downs". It was the prospect of the club being relegated, though, that ensured his departure, the team lie second from bottom with two wins from 12 games.

The former Celtic and Scotland captain became the first managerial casualty of the Bell's Scottish League premier division season after the 5-0 defeat at Dundee United on Sunday that exposed the club's failings to a television audience and left the Aberdeen directors with little alternative.

Aitken's demise ended a saga that has run since last

season when the club flirted with relegation. A summer spending spree that saw the return of Jim Leighton from Hibernian and the arrival of Gary Smith from Rennes, Eoin Jess from Coventry City and Brian O'Neil from Celtic, appeared to have given Aberdeen the basis of a solid side.

Aitken conspicuously failed to knit his new recruits together, however, and an appearance in the Coca-Cola Cup semi-final, where they lost to Dundee United, was no sop for increasingly agitated supporters as they struggled near the foot of the premier division. A 4-1 home defeat by Hearts renewed calls for change and the humiliation on Sunday signalled the inevitable end of Aitken's reign.

It is the first failure in the game for Aitken, who led Aberdeen to victory in the Coca-Cola Cup final against Dundee in 1995, and knew nothing but glory in a playing

career when he won 57 Scotland caps. Signed for Celtic by Jock Stein, he won six championships, five Scottish Cups and one Scottish League Cup. That all counted for nothing when Stewart Milne, the Aberdeen vice-chairman, called a board meeting after the defeat on Sunday. "With almost a third of the season gone, we have enjoyed only two league wins and achieved only nine points out of a possible 36," Milne said.

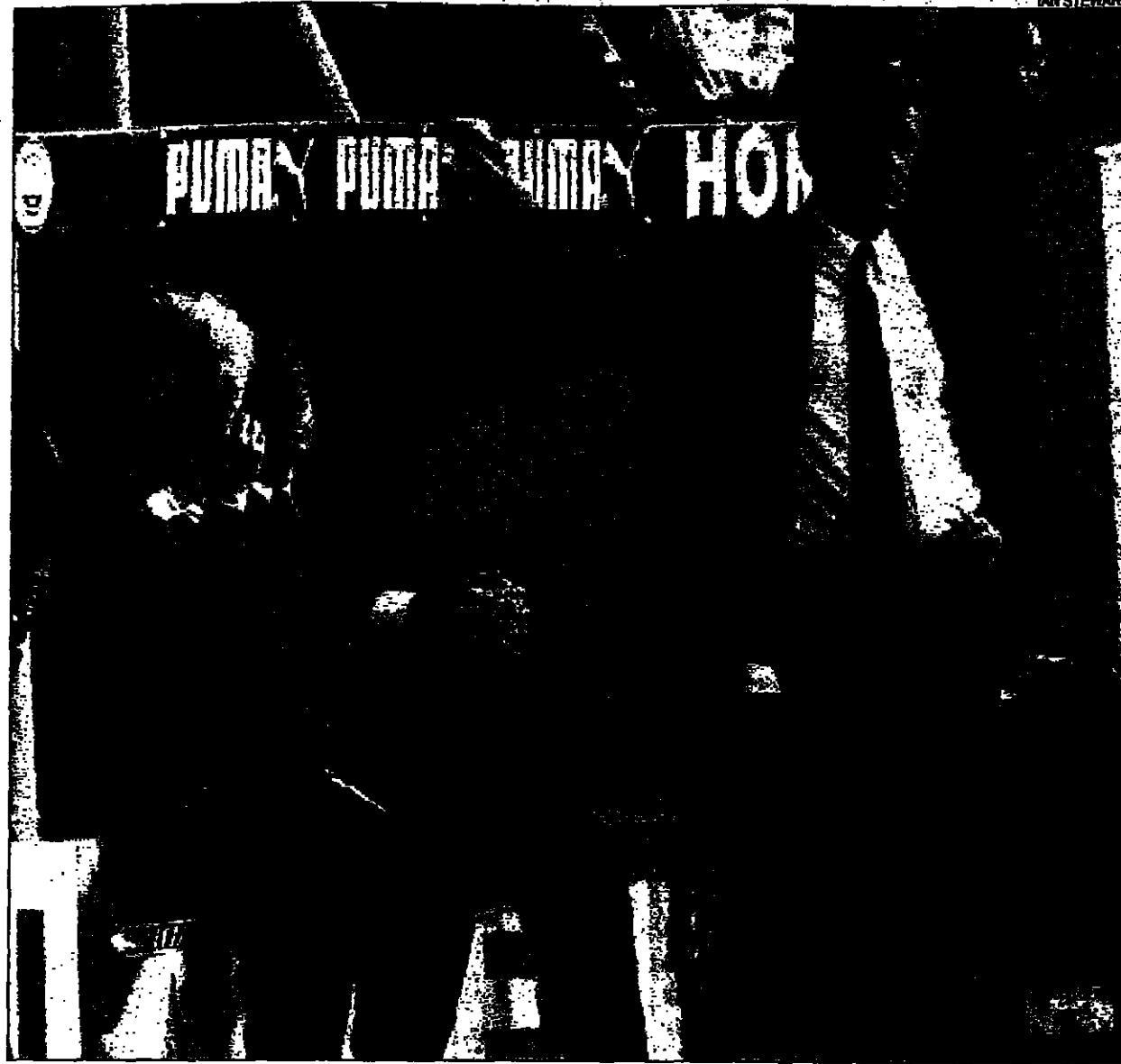
Aberdeen are an ambitious club and we must ensure we are significantly more successful over the course of the remaining 24 games. The club's present position is untenable from everyone's point of view and is seriously detrimental to Aberdeen's future plans."

With two years left on Aitken's contract, the club will have to pay compensation, while finance will also be needed to lure a successor. Tommy Burns, a coach at Newcastle under Kenny Dalglish after his departure from Celtic, heads the list of potential replacements while Alex McLeish, the manager of Motherwell and a former Aberdeen stalwart, was another name put forward yesterday.

Milne is not short of resources and, having given Aitken £2 million to spend during the summer, the building magnate is certain to provide the new manager with financial support.

Given the money spent during the summer to such little effect, Aitken, 38, could hardly complain at his treatment and he was not bitter about his dismissal yesterday. "I have enjoyed my five years here as a player and a manager. There wasn't a day when I didn't look forward to coming into work. I have every confidence in my own ability. From a managerial point of view, Aberdeen was a great base to gain experience."

Aitken succeeded Willie Miller in February 1995, with the team bottom of the premier division, and guided them to safety with a 7-2 aggregate play-off victory over Dundee. The prospect of similar end-of-season anguish yesterday cost him his job.



Aitken, seemingly unable to look as Aberdeen suffer another league defeat, was dismissed by the club yesterday

## Evans studies case for defence

By DAVID MADDOCK

ROY EVANS has stepped up his efforts to sign a dominating centre half. The Liverpool manager wants to strengthen his defence within the next month, and he has singled out two prospective targets.

Evans was in Barcelona last week to watch Oleksandr Golovko play for Dynamo Kiev in the European Cup Champions' League. It is the second time within a month that Evans has watched the 25-year-old, and he again turned in an impressive display.

Kiev cruised to a spectacular 4-0 victory, and the Ukrainian international played a significant role in subduing the season for the winter transfer. His price would be in the region of £2.5 million.

The FA will write to Arsenal after complaints of coin throwing by supporters during the visit of Manchester United on Sunday. An FA spokesman confirmed yesterday that an inquiry is likely. "We have received the match observer's

report and it mentions coin throwing. We understand an individual has been arrested over the matter, but we will wait for the referee's report before deciding on a course of action."

There is unlikely to be further action beyond a warning, with the FA offering sympathy to Arsenal given that it was an isolated incident, and that one of the coins thrown, which struck Nigel Winterburn, appeared to come from Manchester United supporters. Another coin hit Peter Schmeichel.

Howard Wilkinson will have his next 48 hours after deciding if he is to accept an offer from Sheffield Wednesday to take over their vacant managerial position.

Wilkinson has been keen to get back into management since joining the FA as technical director six months ago. But he presented his blueprint for the game to councillors

yesterday, to a warm reception, which has added a further complication to his deliberations.

Speaking yesterday, Wilkinson said: "I am totally committed to the charter for quality." He has, however, been frustrated at the painfully slow working of machinery within the FA, and has banked after a day-to-day return to the professional game.

Frank Clark, the Manchester City manager, was offered unconditional backing yesterday, after talks with Francis Lee, his chairman. Reports from Maine Road had suggested that the City board wanted to dismiss Clark's coach, Richard Money, and his fitness trainer Peter Edwards.

But the manager said: "The chairman has told me to carry on because there will be no sackings, and that there will be an internal investigation into the source of this leak. He has assured me that every-one's position is safe."

## Watson earns England call-up

By MATT DICKINSON

STEVE WATSON will be among the England squad that begins training at Bisham Abbey today, after a last-minute call-up for the match against Cameroon on Saturday. Gary Pallister's withdrawal with a trapped nerve opened the way for the Newcastle United player's first senior recognition.

No one was more surprised than Watson, 23, whose versatility has hampered as much as helped him at St James' Park where he has played everywhere from centre forward to full back. "I've played in plenty of positions but I've made my mind up to play a defensive role," Watson, who won 12 England Under-21 caps, said.

The match at Wembley will be the start of England's preparations for the World Cup finals, Cameroon having also booked their place. Off-field plans are already advanced, including a probable training camp in La Manga, the Spanish golf resort, in the fortnight leading up to the tournament, for which England are likely to be based at La Baulle, near Nantes, their home during Le Tournoi in the summer.

Joining England in France will be the United States, whose 3-0 victory over Canada in Vancouver on Sunday ensured their third successive appearance in the finals. Roy Wegerle, the former Blackburn Rovers and Coventry City striker, scored twice.

A home draw against Mexico on Sunday will be enough to see Jamaica through, but defeat could allow El Salvador to grab the last of the three Concacaf places on goal difference if they can beat the United States in Foxboro, Massachusetts.

Stephen Carr, the uncapped Tottenham Hotspur defender, was added to the Republic of Ireland squad for the World Cup play-off against Belgium in Brussels on Saturday night, after injuries to Dennis Irwin and Curtis Kling.

Manolo Herrera, the Argentinian who revolutionised the role of coaches in European club football during a career that spanned four decades, died on Sunday aged 81. Herrera helped to guide Inter Milan to two European Cups and three league titles from 1960-68.

## Nicholson faces long ban for positive test

SHANE NICHOLSON, the West Bromwich Albion defender, faces the prospect of an extended ban after failing a drugs test for amphetamine (Matt Dickinson writes). The former Lincoln City and Derby County player, 27, was tested positive by the Football Association's doping control unit at Albion's training ground on October 13.

Nicholson, the first player to fail a drugs test this season, was immediately suspended by the Nationwide League first division club, pending an FA disciplinary hearing. He has 14 days to respond to the misconduct charge, but the fact that he is now in his twelfth season and cannot claim youthful folly is likely to count against him.

The FA is particularly concerned at positive tests for amphetamine because the drug has been proven to enhance both speed and endurance. Jamie Hughes, the

Tranmere Rovers trainee, was banned for six months for amphetamine use in 1995.

Hughes was one of 12 positive tests out of 272 in the 1994-95 season. The following season another 272 tests brought seven positive results and last season there were two positive samples from 500 tests. A similar number of tests will be carried out this season.

While there is concern at Lancaster, Gate about the problem, the FA believes its disciplinary hearing is succeeding. "There was a realistic fear when we doubled the number of tests that we'd also double the number of test failures," Steve Double, of the FA, said. "To our relief that hasn't proved to be the case."

Wayne Allison has joined Huddersfield Town from Swindon Town for £800,000. The striker, 29, has signed a three-year deal.

## SHEEHAN on BRIDGE

By ROBERT SHEEHAN, BRIDGE CORRESPONDENT

Underlying honours to give your partner an entry is satisfying when it works, but embarrassing when it allows declarer to score an unexpected trick. The latter happened to me in a recent light-hearted rubber bridge game.

Dealer North	Love all	Rubber bridge
♠ 975 ♥ 95 ♦ KQJ54 ♣ KJ82	♠ 842 ♥ AKQ1064 ♦ 10763 ♣ A—	♠ 975 ♥ 95 ♦ KQJ54 ♣ KJ82

Contract: Five Spades doubled, by South. Lead: ace of clubs.

In a competitive auction North-South misjudged in going to Five Spades over East-West's Five Hearts. West led the ace and king of clubs, on which as East I discarded two diamonds. West then continued with the six of clubs (describing it later as 'non-committal'), and I ruffed. Now if declarer has another club I can get a second ruff if I can put my partner in. So I tried a low heart and South brightly inserted the jack, thus getting out for one off (many declarers would have played low).

There were two errors in the defence. First, West should have played his lowest club when giving East his third-round ruff—he can see that no fourth-round ruff is available, so should warn East not to try a low heart.

Secondly, what should I discard on the top clubs? The

correct cards are the ace of hearts, followed by the queen of hearts. That would have demonstrated that my hearts were headed by the AKQ, and that I did not have the jack. Then if West had been looking at the jack of hearts and only four or five clubs, he could safely play his highest club on the third round, to indicate he had an entry in the higher ranking suit, i.e. hearts. But if his hearts were only nine high, he plays his lowest club to warn me not to underlead my hearts.

Robert Sheehan writes on bridge Monday to Friday in Sport and in the Weekend section on Saturday.

## KEENE on CHESS

By RAYMOND KEENE, CHESS CORRESPONDENT

### Champion held

Perhaps the most notable result from Garry Kasparov's simultaneous display at the Cobden Club in aid of the Fragile X charity was the following draw against a team of girl players. In his games against female opponents Kasparov has been almost universally victorious, so this was a tremendous feat on the part of the British girls' squad.

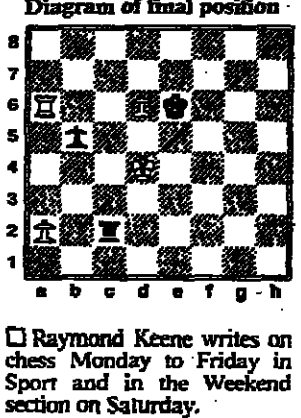
As to the game, Kasparov appeared to gain a huge edge from the opening, and after launching a heavy kingside attack he won rook for bishop on move 28. Thereafter, though, the girls team defended stoutly and made maximum use of their prospects in the endgame. After 50 moves Kasparov was unable to progress and a draw was agreed.

White: Garry Kasparov; Black: Melani Buckley, Roseline Kiernan, Claire Throver, Joanna Hart

Simultaneous Display, Cobden Club, London, 1997  
Sicilian Defence:  
1. e4 c5  
2. Nf3 Nc6  
3. Bb5 Nd4  
4. Nc4 Bxc3  
5. d4 g6  
6. c3 dxc3  
7. Ne3 Bg7  
8. d5 e6  
9. d6 Ne7  
10. d7 Nc6  
11. Bc3  
12. Qd2 f5  
13. Rad1 Ne5  
14. f4 Ng4  
15. Bg4

16. Nee4	Nf6
17. Ng5+	Bd8
18. Kf1	a6
19. Be2	Bc4
20. Qxd4	b5
21. f5	g5
22. Rd3	Rf6
23. Bb7	Bb7
24. Rg3+	Kf8
25. Qf4	Rc8
26. Qg5	Rg6
27. Qxd8+	Rd8
28. Bg6	h6
29. Rg6	Rd8
30. Kf1	Rc2
31. Nf4	Kf7
32. Nf5	e4
33. Rg3	Bd5
34. f6	f4
35. Rf3	g5
36. Rf3+	Rc1+
37. Kf2	Bf5
38. g4	Bd4
39. Rg4	Rh1+
40. Rh1	Rh1+
41. Kh3	Rf5+
42. Rh2	Bd4+
43. Rg3	g4
44. Rg3	g4
45. Kf3	Rh1+
46. Ke4	Rh1+
47. Rd7	Ke6
48. Rd7	Rh2
49. Re6	Rd2
50. Rd4	Rc2

Draw agreed



Raymond Keene writes on chess Monday to Friday in Sport and in the Weekend section on Saturday.

## WORDWATCHING

By Philip Howard

SFORGATO  
a. A sticky sweet  
b. A fizzy mixer  
c. Evaporated

EIK  
a. Sweat  
b. A lost tribe of Israel  
c. A score at darts

EDELEANU  
a. Refining process  
b. Mountain goat's cheese  
c. Eastern sacred rite

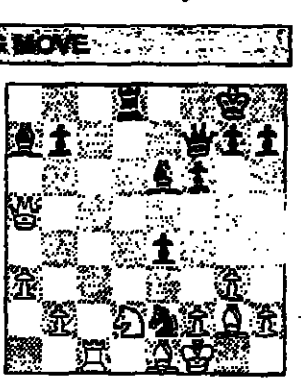
EDDOES  
a. Prayers at Rodean  
b. Misprints  
c. Root-sterms

Answers on page 54

## WORDWATCHING

By Raymond Keene

Black to play. This position is from the game Grunfeld - Reti, Vienna 1922. Black has three pieces under attack, the rook on d8 the bishop on a7 and the knight on e2, but has a move that gains a decisive material advantage. What is it?



Solution on page 54

## FOR THE RECORD

### ATHLETICS

100m: 1. Bolt (Jamaica) 9.58; 200m: 1. Bolt (Jamaica) 19.19; 400m: 1. Brown (Jamaica) 46.71; 800m: 1. Brown (Jamaica) 1:59.00; 1,600m: 1. Brown (Jamaica) 4:09.49; 3,200m: 1. Brown (Jamaica) 8:28.93; 6,400m: 1. Brown (Jamaica) 16:59.00; 12,800m: 1. Brown (Jamaica) 33:59.00; 25,600m: 1. Brown (Jamaica) 1:07:59.00; 51,200m: 1. Brown (Jamaica) 2:15:59.00; 102,400m: 1. Brown (Jamaica) 4:31:59.00; 204,800m: 1. Brown (Jamaica) 9:03:59.00; 409,600m: 1. Brown (Jamaica) 18:07:59.00; 819,200m: 1. Brown (Jamaica) 36:15:59.00; 1,638,400m: 1. Brown (Jamaica) 72:31:59.00; 3,276,800m: 1. Brown (Jamaica) 144:43:59.00; 6,553,600m: 1. Brown (Jamaica) 289:27:59.00; 13,107,200m: 1. Brown (Jamaica) 578:55:59.00; 26,214,400m: 1. Brown (Jamaica) 1157:51:59.00; 52,428,800m: 1. Brown (Jamaica) 2315:43:59.00; 104,857,600m: 1. Brown (Jamaica) 4631:27:59.00; 209,715,200m: 1. Brown (Jamaica) 9262:55:59.00; 419,430,400m: 1. Brown (Jamaica) 18525:51:59.00; 838,860,800m: 1. 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## TENNIS

# Draw puts Rusedski on red alert

FROM JULIAN MUSCAT, TENNIS CORRESPONDENT  
IN HANOVER

GREG RUSEDSKI was handed the worst possible draw when the two round-robin groups were established for the ATP Tour world championship here yesterday. Pitted against Pete Sampras, Patrick Rafter and Carlos Moya, the Great Britain No 1 must beat two of them to progress to the semi-finals on Saturday.

It was cruel luck on Rusedski, who opens his campaign today against Rafter, of Australia, in a rematch of the US Open final two months ago. With Sampras the over-

not really have an edge," he said. "This is a different day, a different court, and it's all a question of who gets out of the right side of the bed in the morning."

Rusedski, for his part, believes he has progressed since losing to Rafter in four sets. He is also encouraged to have Tony Pickard, his coach, in his corner on this occasion. "It definitely would have helped me to have had Tony for the US Open final," he said. "He is a very bright man and his knowledge of the game is exceptional. I am looking forward to getting that match back."

After two days of practice, the Great Britain No 1 believes the hardcourt surface will favour his aggressive game. "There's no question: it will be hard for the baseliners here this week," he said. However, Rusedski's observation makes his position in the red group all the more galling.

As he himself noted, the serve-and-volleyers have been thrown together, with the baseliners — Michael Chang, Jonas Bjorkman, Yevgeny Kafelnikov and Sergi Bruguera — engaged in the white group. "It [the red group] is a difficult group," he said. "The three grand-slam winners are in it but I favour myself in there with them."

Rusedski will also have noted that Rafter has since struggled to reproduce the brilliance of his US Open triumph. Rusedski is making his first appearance in this end-of-season jamboree for the world's leading eight players. He arrives with his form a

whelming favourite to secure one of the two semi-final places from the red group, victory over Rafter is imperative.

"This is definitely a big match for me," Rusedski said. "If I lose it, I'll most probably have to beat Sampras to make the semi-finals." Rusedski has failed to win in each of his five previous encounters with the world No 1.

Predictably, much was made of the psychological effect of Rusedski's defeat by Rafter in New York. But the Australian, world ranked No 3 to Rusedski's No 5, made the most telling point. "I do

not really have an edge," he said. "This is a different day, a different court, and it's all a question of who gets out of the right side of the bed in the morning."

Rusedski, for his part, believes he has progressed since losing to Rafter in four sets. He is also encouraged to have Tony Pickard, his coach, in his corner on this occasion. "It definitely would have helped me to have had Tony for the US Open final," he said. "He is a very bright man and his knowledge of the game is exceptional. I am looking forward to getting that match back."

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Rusedski has Rafter, Sampras and Moya in his sights in Hanover this week

notch below the standard that saw him take the start of the European indoor season by storm.

A semi-final appearance in the Grand Slam Cup — where he was beaten by Sampras — preceded victory in Basel and an unfortunate defeat, by Goran Ivanisevic, in the final at Vienna. Since then, however, the Canadian-born left-hander has not recaptured that level of performance.

Most recently, Rusedski lost to Jan Siemerink, world

ranked No 105, in Stockholm last week. Although that came in the semi-final, Rusedski won just two matches, against distinguished opponents, to progress that far.

Yet he remains undeterred by the implications of that defeat — inflicted when the after-effects of a stomach virus left him short of peak fitness.

Now fully rehabilitated, he is clearly optimistic that he, as Britain's first representative at these championships, will make an impression.

"My life has changed a lot in the last three months," he said. "I have gone from No 56 in the world to No 4; everyone recognises me in the street now. It is very special to be here and I see it as a good opportunity to take another step up against the top eight players in the world."

If the draw has been unkind, it should not be forgotten that Rusedski's achievements have already helped to make this a banner year for British tennis.

## Henman seeks fond farewell

BY ALIX RAMSAY

A COUPLE of years ago, in the bad old days, the Guardian Direct national championships were a rare chance for British tennis to feel good about itself. The best of British tennis would assemble in Telford to challenge for the limited spoils and, ensure that, for once, a British player would win something.

This year, however, things are different. When the tournament begins today, the best that Britain has to offer, Greg Rusedski, will be in Hanover playing against the best in the world and while Telford can boast Tim Henman as top seed, he has said that this will be his last appearance in the nationals

and a third consecutive title would be a nice way to say goodbye.

The event may be a jolly social gathering but it means nothing in international terms and Henman has his career in mind. This is the difference between this and previous years — these days British players talk about careers and not just earning a living.

Despite all that, Henman's nearest rival is at No 143. In theory he should win with ease but the nationals are more like a gala performance and he will not want to be upstaged

by the extras. Nick Neal, ranked No 594, provides his first hurdle, with Jamie Delgado and Martin Lee waiting to step in in his tracks as the favourites go by. If the final goes according to the script, Henman will face Andrew Richardson, the man who gave him a fright at Queen's in the summer.

In the women's event, Sam Smith faces an interesting challenge in the opening round today. The British No 1, who started her tennis life as a promising young talent before taking time out to go to university, takes on the latest prospect for the future, Hannah Collin, from Surrey. Smith has yet to win the title in Telford.

## FIRST ROUND

RED GROUP (pm GMT)	
Pete Sampras (US) v Carlos Moya (Spain)	
Greg Rusedski (GB) v Patrick Rafter (Aus)	
WHITE GROUP (8.30pm GMT)	
Michael Chang (Tai) v Sergi Bruguera (Spain)	
Jonas Bjorkman (Swe) v Yevgeny Kafelnikov (Russia)	
RUSEDKI'S RECORD AGAINST THE SEVEN FINALISTS	
<ul style="list-style-type: none"> <li>vs Bjorkman: Overall: 4-2 (this season: leads 1-0). Most recent match: September 1997; Rusedski won 6-4, 3-6, 3-6, 6-3, 7-5.</li> <li>vs Chang: Overall: 1-1 (yet to play this season). Most recent match: 1996 Olympics (hard-court); Bruguera won 7-6, 7-5.</li> <li>vs Delgado: Overall: 2-4 (this season: leads 1-0). Most recent match: February 1997, San Jose quarter-final (hard-court); Rusedski won 7-6, 6-4.</li> <li>vs Kafelnikov: Overall: 1-2 (this season: level 1-1). Most recent match: November 1997, Paris Indoor quarter-final (carpet); Sampras won 3-6, 7-6, 7-6, 6-2.</li> <li>vs Neal: Overall: 1-1 (this season: level 1-1). Most recent match: September 1997, Bolton (hard-court); Neal won 6-2, 6-2.</li> <li>vs Richardson: Overall: 1-1 (this season: level 1-1). Most recent match: September 1997, Grand Slam Cup semi-final (carpet); Sampras won 3-6, 7-6, 7-6, 6-2.</li> <li>vs Smith: Overall: 1-1 (this season: level 1-1). Most recent match: September 1997, Grand Slam Cup semi-final (carpet); Sampras won 3-6, 7-6, 7-6, 6-2.</li> </ul>	

## SQUASH

## England away to flying start

FROM COLIN MCQUILLAN  
IN KUALA LUMPUR

ENGLAND'S defence of the world team squash championship began yesterday in qualifying Pool A with an unprecedented 3-0 win over Pakistan, the beaten finalists at the last championship two years ago. Pakistan — weakened by the absence of Jansher Khan, the world No 1, who refused to play in Kuala Lumpur for legal reasons — had been reduced to fifth seeds.

Peter Marshall, the Nottingham double-handed who unexpectedly reached the world open semi-finals last week, has been promoted to second string for England, behind

Simon Parke, but he was rested yesterday. Pakistan ran their strongest line-up of Zubair Jahan, Amjad Khan and Kamil Mehmood, and failed to capture a single game from Parke and the experienced Essex duo of Del Harris and Chris Walker.

The open last week was the first in 21 years not to feature a Pakistani representative in the last eight. On yesterday's performances the same situation will almost certainly occur when the quarter-finals are

played here between the first two nations in each qualifying pool.

Scotland, also playing without their strongest performer, Peter Nicol, the beaten world open finalist on Sunday, also started well in Pool D, beating Argentina 3-0.

Ireland defeated Austria 2-1 in Pool F, but Wales just failed in Pool B to overturn the third seeded Egyptians. Alex Gough, of Wales, who reached the world open semi-final, took Ahmed Barada, the world No 7, to five games before retiring.

Results, page 52

## Alison French revisited

Timeswatch: Alison — A Personal History  
BBC2, 9.00pm

Viewers with good memories may recall a BBC documentary in 1997 about the wedding of Alison French, a victim of cerebral palsy. The condition meant (and still does) that her speech was slurred and that she could not walk properly. The film was intended to celebrate her triumph over disability. But French wanted disabled people to be accepted as equals, not singled out as different, and she hoped that in ten years' time such programmes would no longer be made. This follow-up programme finds her angry that the old attitudes persist. She is still bitter about being sent to special schools instead of going through the educational mainstream. One of her former tutors accuses her of having a chip on her shoulder. But her forthright and uncompromising stance compels respect.

Cutting Edge: Football Wives  
Channel 4, 9.00pm

It appears to be no easy thing to be married to a professional footballer. The money can be good, particularly if your hubby is Ian Walker of Spurs and reputedly earning £750,000 a year. But there is always the fear that your man may be led astray by the glamorous female company which young and virile sportsmen attract. Sam Holdsworth, married to Bolton's Anthony, knows all about it. In January the *News of the World* accused him of a "car park romp" with a nude model, Walker's wife Suzi, and Ann Lee, wife of Jason, are also aware of footballers' reputations for "playing away". But Mrs Lee is more concerned to squash the idea that all football families live luxuriously. The Walkers may enjoy a £300,000 pad, but for Jason Lee, playing in the lower division means a modest rented house.

Best Friends: Melanie and Nick  
BBC2, 10.20pm

Ten-minute films may be good discipline for those who make them but they can leave the viewer feeling that there is more to be said. Kathleen Byrnes' memories of her relationship on and off screen with Michael Powell during the making of *Black Narcissus* is one recent subject that cried out for fuller treatment. The same can be said about



The satirical team (BBC1, times vary)

the first film in this new series on the theme of friendship. Melanie and Nick first met ten years ago when they were 16. They fell into what he calls a very intense relationship which has endured to this day, even though she has had a child by somebody else and he has taken a gay partner. The story is unusual, and the elliptical style in which it is told only increases the fascination. But ten minutes are hardly enough.

**Auntie: The Inside Story of the BBC**  
BBC1, 10.45pm (N.I., 11.40, not Wales)  
The BBC history reaches the 1960s, which for anybody who lived through it still stands out as a golden age. Shamed by ITV, which had taken 75 per cent of the television audience, and under an iconoclastic new Director General in Hugh Green, the BBC shook off its legendary stuffiness and embarked on a decade of extraordinary boldness and innovation. The roll-call of programmes, each a mould-breaker in its way, runs from *Z Cars* to *Sleight of Hand*, *Till Death Us Do Part*, *That Was the Week That Was* and *Cathy Come Home*. It was the decade, too, of this is duly chronicled, faithfully if a shade dryly, along with less creditable episodes, such as the banning of Peter Watkins' nuclear horror story, *The War Game*, and Harold Wilson appointing Lord Hill as BBC chairman in an attempt to clip Greene's wings. Peter Waymark

## RADIO CHOICE

### Flanders Fields

Radio 2, 9.30pm

A special programme for the evening of Armistice Day is presented by Tony Robinson and Paul McGarr. Radio 2 has deservedly won plaudits for this type of programming, notably a special, also presented by Tony Robinson, on the 80th anniversary of the Somme. Tonight's programme marks another 80th anniversary, that of the Third Battle of Ypres, or Passchendaele as it is more widely known. The standards of the programme are no less high for being familiar: four months of fighting, 500,000 casualties, six miles gained by the Allies only for the Germans to win it back the following spring. Tonight's programme includes the recollections of local people, poetry readings by McGarr, music and *The Last Post*.

### RADIO 1

6.30am Kevin Greening and Zoe Ball 8.00 Simon Mayo 12.00 Jo Wiley. Includes 12.20pm Newsbeat 2.00 Mark Radcliffe 4.00 Dave Pearson 6.15 Newsbeat 6.30 Evening Session 8.30 Digital Update 8.40 John Peel 10.30 Mary Anne Hobbes 1.00am Dave Warren 4.00 Chris Moyles

### RADIO 2

6.00am Sarah Kennedy 7.30 Wake Up to Wogan 8.30 Ken Bruce 11.30 David Aronovich 1.20pm Debbie Thompson 3.00 Ed Stewart 5.05 Johnnie Walker 7.00 Richard Stilgoe's Classical Gaze 8.00 Night Option 8.00 Tiding the Horses. Presented by Ian Wright 8.30 The standards of the programme are no less high for being familiar: four months of fighting, 500,000 casualties, six miles gained by the Allies only for the Germans to win it back the following spring. Tonight's programme includes the recollections of local people, poetry readings by McGarr, music and *The Last Post*.

### RADIO 5 LIVE

6.00am The Breakfast Programme 8.00 Nicky Campbell 12.00 Midday with Mel 2.00pm Race on Five 4.00 Nationwide with Julian Worthington 7.00 News Extra with David McNeil 7.30 The Tuesday Match. Mark Pougatch presents commentary on tonight's League Cup game between Arsenal and Manchester City. News Extra 12.00 After Hours 2.00pm Up All Night with Rhod Sharp 5.00 Morning Reports

### VIRGIN RADIO

5.00am Jeremy Clark 7.00 Chris Evans 10.00 (FM) Robin Barrie (AM) Graham Dore 1.00pm (FM) Nick Abbot (MW) Nicky Home 4.00 Russ 'n' Jono 7.00 (FM) Paul Coyte (AM) Carin Jones 10.00 Mark Forrest 2.00am Richard Porter

### TALK RADIO

6.30am Paul Ross and Carol McCall 8.00 Scott Chisholm 12.00 Lorraine Kelly 2.00pm Tommy Boyd 4.00 Peter Dingley 7.00 Anne Rasmussen 9.00 James White 1.00am Ian Collins

## WORLD SERVICE

6.00am Newsday 6.30 Europe Today 7.00 News 7.15 Off the Shelf. The Colour of Blood 7.30 Fingerprint 8.00 News 8.10 Dave For The Love 8.15 Westway 8.30 Evening News 8.00 News. News in German (648 only) 8.05 World Service Report 8.15 The Deal with Drugs 8.30 Literature. The Hill on the Floor 8.45 Sports Roundup 10.00 Newsday 10.30 On Screen 11.00 Newsday. Do Christiana 12.00 Newsday. Do Christiana. News 12.05pm World Service Report 12.15 Britain Today 12.30 Health Matters 12.45 Sports Roundup 1.00 Newsday 2.00 News 2.05 Outlook 2.30 Matchday 3.00 Newsday. News in German (648 only) 3.05 Sports Roundup 3.15 Westway 3.30 The Grandfield Collection 4.00 News 4.15 Soundbytes 4.30 The World Today. News in German (648 only) 4.45 Britain Today 5.00 Europe Today 5.30 World Service Report 5.45 Sports Roundup 6.00 Newsday. Do Christiana. News in German (648 only) 7.00 News 7.01 Outlook 7.25 Newsday. Do Christiana. 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## RACING 51

Sparky Gale sets sights on Gold Cup glory

## SPORT

TUESDAY NOVEMBER 11 1997

## TENNIS 54

Rusedski faces toughest task in Hanover



# Woodward's revolution takes shape

CLIVE WOODWARD was true to his word yesterday. England's first full-time rugby union coach, who has been in office for just eight weeks, named five newcomers in his team to play Australia at Twickenham on Saturday; a team that in many positions is as green as grass, yet has been offered an unparalleled opportunity.

Normally, only world war create such upheavals in an England team. Of the XV that started against Australia in Sydney in July, only three remain — Lawrence Dallaglio, now the captain, Richard Hill and Mike Catt. Of them, Catt has moved from fly half to centre and will be the goalkicker. Of the XV that completed the five nations' championship last season in second place to France, only four remain, of whom Catt and Jason Leonard have changed positions.

It is change on an enormous scale, as exciting as it is revolutionary. Many will say it is rash to the point of foolhardy, but, to his credit, Woodward has put his money where his mouth is and is treading where none of his predecessors would dare have gone. He has looked at more experienced players, he has recognised that many of them are playing below known form, and has opted for those who are playing with confidence and skill, regardless of age or inexperience.

He has selected Matt Perry at full back, David Rees (right wing), Will Greenwood (cen-

David Hands on the England coach's first bold steps into a brave new world

tre), Andy Long (hooker) and Will Green (tight-head prop) to make their international debuts. In addition, Alex King, whose experience amounts to 22 minutes against Argentina in June, is given his chance at fly half, while Adeleyo Adeboye, Garath Archer, Tony Diprose and Hill can muster no more than a dozen caps between them.

Nor has Woodward shied from moving players into

Wing for Sale — 53

what he perceives as their optimum position: Perry has been playing centre for Bath this season with Catt as his fly half, while Leonard reverts to his favoured role of loose-head prop after two years on the tight-head side. The younger element are known to Woodward, however. Perry and Long, both only 20, played under him when he coached the England Under-21s and he has a better idea of their resilience than many. Indeed, Long is the fourth hooker to be capped this year, after Mark Regan, Phil Greening and Richard Cockerill.

Green and Rees, 22 and 23 respectively, have been in

ebullient form for Wasps and Sale, respectively, the former confirming his place against the Brive front row as recently as Sunday, the latter scoring tries with abandon after recovering from a hernia operation. Greenwood, the Leicester centre, is, at 25, the oldest of the newcomers but his star has been rising for more than a year and carried him to South Africa with the British Isles during the summer.

He also has a pedigree. Dick Greenwood, his father, captained England from the back row 28 years ago and coached England between 1983-86. He was there in Bloemfontein when Greenwood junior suffered a life-threatening injury playing for the Lions against Free State, jarring his head so severely in a tackle that only prompt medical attention saved him. That the centre began the season a little tentatively is, perhaps, no surprise but in recent weeks his confidence has returned.

"I have picked the team that contains the best 15 players in their positions in England at the moment," Woodward said. That excludes 11 of the 22 Englishmen who appeared for the Lions during the summer, of whom only three — Jeremy Guscott (who needs an operation on his back), Tony Underwood and Tim Simpson — are injured.

The unlikeliest of the remaining eight is Matt Dawson, the Northampton scrum half, who effectively loses out to the Saracens unit at Nos 7, 8 and 9.

There can be no doubt that Kyran Bracken and Diprose helped each other into the national team, nor that their form in the Allied Dunbar Premiership game with



England expects: Greenwood, King, Green, Long, Rees and Perry will be making their first starts for the national team on Saturday



Northampton last Saturday, allied to Hill's return from injury, counted in their favour. "I have thought about the make-up of this team for many weeks now and I am totally confident that they can go out, perform and win," Woodward said.

There is no point comparing the likes of Perry and Rees with Christian Cullen and Jeff

Wilson of New Zealand, whose acquaintance they may well make shortly. New Zealand's playing structure ensures that youngsters are thoroughly grounded when they reach international level, which the club structure in Britain does not allow, but Woodward has to make the best of what there is.

"There are no experiments,"

he said. "I would never select a player just for the sake of finding out if they are good enough." The team may well have changed by the time England play New Zealand for the second time on December 6, but by then Woodward will know far more about the qualities and character of his team in the hot-house provided by the three southern-hemi-

sphere powers in successive weeks. Five further players are required for training during preparations, this week, three of them internationals. They are: Darren Garforth, of Leicester; Simon Shaw (Wasps); Chris Sheasby (Wasps); Rory Jenkins (Harlequins); and Roy Winters (Bedford).

## Australia unhappy at tour build-up

ROD MACQUEEN could offer little comment yesterday on the England team that his Australians will meet at Twickenham on Saturday; he has problems enough of his own as he endeavours to lift the spirits of a party deflated by their recent visit to Argentina yet with two international matches still to be played (David Hands writes).

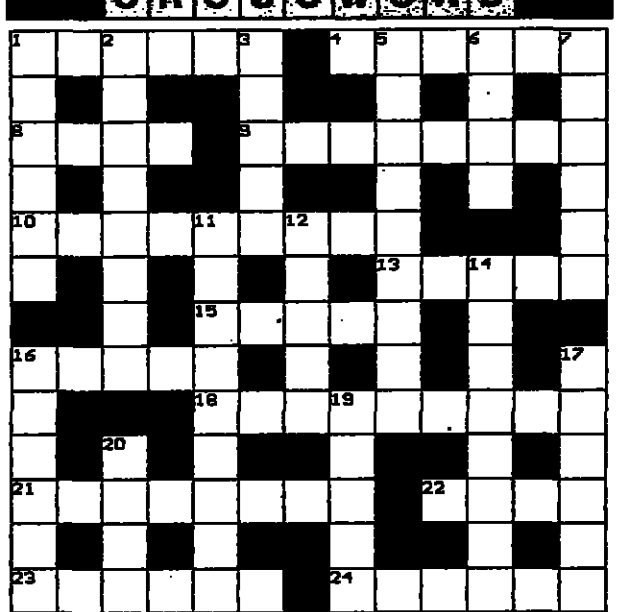
Australia will name their XV this morning, three days after suffering an 18-16 defeat in Buenos Aires which left the series shared at 1-1 and critics describing them as "spineless." Macquieen, who took over as national coach after the resignation in August of Garry Smith, admitted that the Wallabies had provided ample ammunition for such comments on what has been a disappointing introduction to international rugby.

"We have not been playing well," he said candidly. "We thought that by now we would have been putting some good play together. We have trained well, we have put a lot of time and effort into putting together a simple style but it has not come off." In fact Macquieen would have welcomed another midweek game interspersed with the internationals against England and, on November 22, Scotland.

His schedule has been top-heavy with internationals, four of them compared with three provincial games. More over injury forced him to leave behind such influential players as Matthew Burke, Jason Little and Daniel Manu, and they have now been joined by David Knox, the fly half who suffered a severe dislocation of his finger against the Argentinians.

Knox is one of seven players who returned to Sydney over the weekend, leaving Macquieen to ponder the choice of Elton Flaitley, the young Queensland, for his first full cap or returning to Pat Howard at fly half.

## CROSSWORD



No 1248

## ACROSS

- 1 Gain (6)
- 4 Stagnation (6)
- 8 Classy (4)
- 9 Swine Jesus sent over cliff (8)
- 10 Observe (eg birthday) (9)
- 13 Truck (5)
- 15 Horrific (5)
- 16 Dirty mark; aspersion (5)
- 21 Nice smell (9)
- 21 Transparently clear (8)
- 22 Greek king of gods (4)
- 23 Estimation, removal (6)
- 24 Star sign, Apr/May (6)

## DOWN

- 1 Holy Father's office (6)
- 2 Out of date (8)
- 3 Wild beast; a SE Asian economy (5)
- 5 Anyone there? he asked (De la Mare) (9)
- 6 Cook slowly; fishpond (4)
- 7 Aperitif from Spain (6)
- 11 Be productive (4,5)
- 12 First Greek letter (5)
- 14 The caribou (8)
- 16 A Royal Engineer; old thriller writer (6)
- 17 Population count (6)
- 19 Two kangas walked for him. (Backset) (5)
- 20 Minor, irregular reading (4)

## SOLUTION TO NO 1247

- ACROSS: 6 Scourge 7 Virus 9 Trend 10 Gironde 11 Figure of fun 14 Legal tender 17 Wattage 19 Rodeo 21 River 22 Potency
- DOWN: 1 Sole 2 Prodigal 3 Ledger 4 Awer 5 Transfer 6 Site 8 Seeing 11 Fugitive 12 Obdurate 13 Flower 15 Exempt 16 Pasty 18 Acre 20 Dunk

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# Schumacher and Formula One stand side by side in the dock

BY MICHAEL CALVIN

MICHAEL SCHUMACHER will be fortunate to escape with a record fine in the region of \$2 million (about £1.2 million) today, when he faces Formula One's equivalent of the High Court. The subsequent appearance of the McLaren and Williams teams, to answer disclosures in *The Times*, will complete an unprecedented attempt to preserve the sport's credibility.

Schumacher's case, arising from his collision with Jacques Villeneuve that resulted in the Canadian becoming world champion at the European Grand Prix on October 26, is of fundamental importance because Formula One cannot be seen to subjugate its wider responsibilities to the commercial importance of its most celebrated driver.

The secondary issue, involving the apparent manipulation of the Jerez result by two of the sport's leading teams, is equally complex, and no less intriguing. Max Mosley, president of the FIA, the governing body of motorsport, decided that Williams and McLaren, had a case to answer yesterday, when he received a report from Charlie Whiting, the official observer.

This was prompted by the publication, in *The Times* on Saturday, of transcripts of conversations between Schumacher, Villeneuve and their respective pit crews. Whiting has since heard the two secret tapes, on which the report in *The Times* was based. They are now in the possession of the FIA.

The organisation's world council, which meets at the RAC headquarters, near Heathrow, this morning, has the power to inflict unlimited punishment if it feels the

teams have breached article 151 (4) of the FIA's international sporting code, which covers conduct "prejudicial to the interests of any competition, or of motorsport generally."

The teams deny collusion, and the case will centre on Villeneuve's actions, which allowed Mika Hakkinen through for his first grand prix win. Mosley, who will chair the 24-man council, which also includes Bernie Ecclestone, the Formula One impresario, said: "The race director, combining what he saw of events in Jerez with the transcripts and the tapes, decided there was enough evidence to warrant further investigation."

The cynics suggest the case is linked to the status of Williams and McLaren, as leading dissidents in the debate about the constitution of Formula One in the run-up to stock market flotation. Schumacher's defence, against allegations that he deliberately rammed Villeneuve, also has the potential to

affect the delicate balance of political power within the sport.

If he is found guilty, a reasonable assumption given that most independent observers are convinced there was malicious intent in the collision, approaching the Dry Sack curve at Jerez, a seven-figure fine is a probability.

A ban is also likely, but, intriguingly, probation has been put forward as an alternative. One imaginative option involves linking the length of the suspension to Schumacher's behaviour over a given number of races next season. This would ensure massive interest in the early-season grands prix and still ensure that Schumacher operates under a self-inflicted handicap.

However, there are those who believe that only a year's suspension is appropriate. The need for a firm moral head has been best expressed by the new team owner, Jackie Stewart, a long-term advocate of driver safety. He accepts Schumacher's contention that the incident could have been spontaneous, but insists that it was "neither ethical nor allowable."

He expects the FIA to make an example of him. "Behaviour of that type has not just to be discouraged but eliminated," he said. "You can bet that every young driver was watching the Jerez race. If they see someone getting off with that sort of behaviour, it will be mirrored at every level of the sport."

"I still believe there is room for ethics in grand prix racing, room for morals. There is a lack of them, in all avenues. I

don't think the problem lies just with Schumacher. These days it is common practice either to block someone or even to come into contact with them. That seems acceptable today, but we must be stricter. If something is not done, it will end in tears, with a massive accident."

The irony is that Schumacher's talent is beyond debate. Even Frank Williams, looking back on the 1997 season last week, before the disclosures in *The Times*, admitted that his disciplinary problems evoked conflicting emotions. His first reaction to the incident "was not one of instant outrage."

Sleeze row — 1

He said: "It was one of concern, and relief. Everyone realised Jacques was lucky to stay on the road. When I saw Michael in the gravel-trap I thought, 'silly boy', but my gut feeling was that he had acted instinctively rather than in any premeditated manner."

"As the magnitude of the incident became clear, I began to appreciate Jacques' anger. I know how hard he worked for that title. But I felt also a strange sense of sadness. Part of me wanted the hullabaloo to die down, for the sake of Formula One's reputation."

"When a hero has his bottom smacked in full view of the world, everyone is belittled by the spectacle. The fact remains that if Michael Schumacher became available tomorrow, every team manager in the pit-lane would be in the queue for his services. That's the reality of his reputation."



Schumacher: facing fine



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